United Nations S/PV.4299

Security Council

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Official communiqué of the 4299th meeting of the Security Council

Held in private in the Security Council Chamber at Headquarters on Wednesday, 21 March 2001, at 11.10 a.m.

At its 4299th meeting, held in private on 21 March 2001, the Security Council considered the item entitled "The situation in Georgia — Letter dated 17 March 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/242)".

In accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure, the President invited the Minister for Foreign Affairs of Georgia, and the representatives of Argentina, Armenia, Belgium, Canada, the Czech Republic, Denmark, Finland, Germany, Hungary, Italy, Japan, Lithuania, the Netherlands, the Republic of Moldova, Romania, Slovakia, Spain, Sweden and Turkey, to participate in this meeting.

In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the Council's provisional rules of procedure to Mr. Dieter Boden, Special Representative of the Secretary-General and Head of the United Nations Mission in Georgia.

The Minister for Foreign Affairs of Georgia, the Special Representative of the Secretary-General and Head of the United Nations Mission in Georgia and the President of the Security Council, speaking in his capacity as the representative of Ukraine, briefed the members of the Council on the outcome of the third Meeting on Confidence-building Measures between the Georgian and Abkhaz sides, which took place in Yalta on 15 and 16 March 2001.

The members of the Council, the Minister for Foreign Affairs of Georgia and the Special Representative of the Secretary-General and Head of the United Nations Mission in Georgia had a constructive discussion.

01-29877 (E) 210301

United Nations S/PV.4300

Security Council

Fifty-sixth year

Provisional

4300th meeting

Wednesday, 21 March 2001, 1.20 p.m.

New York

President:	Mr. Zlenko	(Ukraine)
Members:	Bangladesh	Mr. Amin
	China	Mr. Wang Donghua
	Colombia	Ms. Lloreda
	France	Mr. Teixeira da Silva
	Ireland	Mr. Kavanagh
	Jamaica	Mr. Ward
	Mali	Mr. Toure
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Mr. Mantaha
	Tunisia	Mr. Ben Youssef
	United Kingdom of Great Britain and Northern Ireland	Ms. Cutler
	United States of America	Mr. Minton

Agenda

The situation in Georgia

Letter dated 17 March 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/242).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-29818 (E)

The meeting was called to order at 1.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

Letter dated 17 March 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/242)

The President: In accordance with the decision taken at the 4299th meeting, I invite the Minister for Foreign Affairs of Georgia, His Excellency Mr. Irakli Menagarishvili, to take a seat at the Council table.

At the invitation of the President, Mr. Menagarishvili (Georgia) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the successful holding of the third meeting on confidence-building measures between the Georgian and Abkhaz sides in Yalta on 15 and 16 March 2001 and the resumption of dialogue between them, and notes the documents signed there (S/2001/242). It hopes that action flowing from the Yalta meeting will lead to a narrowing of the positions of the two sides and stimulate further constructive dialogue aimed at achieving a comprehensive political settlement of the conflict, including a settlement of the political status of Abkhazia within the State of Georgia and other key issues. The Council underlines the contribution that confidence-building measures can bring to the peace process and commends the efforts by the Government of Ukraine in ensuring the success of the Yalta Meeting.

"The Security Council reaffirms its support for the efforts by the Special Representative of the Secretary-General to enhance contacts at all levels between the Georgian and Abkhaz sides, in close cooperation with the Russian Federation, in its capacity as facilitator, the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe.

"The Security Council encourages the two sides to engage with renewed commitment in the peace process. The Council notes the stated willingness of the two sides to ensure favourable conditions for the continuation of the peace process, their stated commitment to the non-use of force and their stated determination to intensify efforts in order to create the necessary climate for the voluntary return of internally displaced persons and refugees in secure and dignified conditions. The Council also notes the important contribution that the United Nations Observer Mission in Georgia and the Collective Peacekeeping Forces of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict.

"The Security Council underlines the unacceptability of the holding of self-styled local elections in Abkhazia, Georgia, on 10 March 2001, which it deems illegitimate and unhelpful. The organization of these elections represents an additional obstacle to the attempts to reach a comprehensive settlement of the conflict based on international law.

"The Security Council stresses the importance of negotiations on the core political questions of the conflict. In this regard, it looks forward to the briefing to be provided by the Secretary-General on the progress of the political settlement, including on the status of the draft paper his Special Representative intends to submit to the two sides, as referred to in paragraph 16 of its resolution 1339 (2001) of 31 January 2001.

"The Security Council will remain actively seized of the matter and reaffirms its commitment to advancing the peace process."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2001/9.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.25 p.m.

United Nations S/PV.4301

Security Council

Fifty-sixth year

Provisional

4301st meeting

Wednesday, 21 March 2001, 7 p.m.

New York

President:	Mr. Zlenko	(Ukraine)
Members:	Bangladesh	Mr. Amin
	China	Mr. Shen Guofang
	Colombia	Mr. Franco
	France	Mr. Teixeira da Silva
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Touré
	Mauritius	Mr. Neewoor
	Norway	Mr. Larsen
	Russian Federation	Mr. Sergeev
	Singapore	Mr. Mantaha
	Tunisia	Mr. Cherif
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Minton

Agenda

Letter dated 4 March 2001 from the Permanent Representative of The former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council (S/2001/191).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-29838 (E)

The meeting was called to order at 7 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 4 March 2001 from the Permanent Representative of The former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council (S/2001/191)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/191, which contains the text of a letter dated 4 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council. Members of the Council also have before them document S/2001/256, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should also like to draw the attention of the members of the Council to the following documents: S/2001/217, letter dated 12 March 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Sweden to the United Nations addressed to the Secretary-General; S/2001/249, letter dated 20 March 2001 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council; and S/2001/251, letter dated 20 March 2001 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General.

It is my understanding that the Security Council is ready to vote on the draft resolution before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1345 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 7.05 p.m.

United Nations S/PV.4302

Security Council

Fifty-sixth year

Provisional

4302nd meeting

Thursday, 22 March 2001, 10 a.m.

New York

President:	Mr. Zlenko	(Ukraine)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Chen Xu
	Colombia	Ms. Lloreda
	France	Mr. Doutriaux
	Ireland	Mr. Cooney
	Jamaica	Mr. Ward
	Mali	Mr. Kassé
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Mahbubani
	Tunisia	Ms. Achouri
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Minton

Agenda

Ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa

Letter dated 28 February 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/185).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-30006 (E)

The meeting was called to order at 10.30 a.m.

Adoption of the agenda

The agenda was adopted.

Ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa

Letter dated 28 February 2001 from the Acting Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (S/2001/185)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council recalls the decisions and recommendations contained in the declaration on ensuring an effective role for the Security Council in the maintenance of international peace and security, particularly in Africa, adopted at its meeting at the level of Heads of State and Government in the course of the Millennium Summit (resolution 1318 (2000) of 7 September 2000, annex), and the open debate held on 7 March 2001 to review its implementation. The Council takes note with interest of the important views expressed by non-members at this debate.

"The Security Council notes the progress achieved in translating the commitments made at its Summit meeting into practical results and expresses its determination to intensify efforts to this end. The Council underlines the importance of the Declaration as a contribution towards the development of a well-targeted strategy and shared vision in the maintenance of international peace and security and of the deeper and broader involvement of Member States and the wider international community in that regard.

"The Security Council will consider and take appropriate action on the Secretary-General's forthcoming report on conflict prevention, his recommendations on the strengthening of the United Nations capacity to develop peace-building strategies, the report prepared by its Working Group on General Issues of Sanctions, and the recommendations on improving the three-way relationship between the Council, the troop-contributing countries and the Secretariat to be prepared by its Working Group on Peacekeeping Operations, and reiterates its intention to review periodically the implementation of its resolution 1327 (2000) of 13 November 2000 on strengthening peacekeeping operations.

"The Security Council underlines the need for closer cooperation and interaction within the United Nations system in addressing the challenges to peace and security, including the root causes of conflicts, and intends to continue taking concrete steps in advancing this goal. The Council also expresses its willingness to continue to develop productive working relationships with regional and subregional organizations in addressing conflict.

"The Security Council decides to conduct further reviews, with the active participation of non-members, of the implementation of the commitments made at its meeting at the level of Heads of State and Government."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2001/10.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 10.35 a.m.

United Nations S/PV.4303

Security Council

Fifty-sixth year

Provisional

4303rd meeting

Thursday, 22 March 2001, 10.35 a.m.

New York

President:	Mr. Zlenko	(Ukraine)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Shen Guofang
	Colombia	Mr. Valdivieso
	France	Mr. Doutriaux
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Touré
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Minton

Agenda

The situation in Bosnia and Herzegovina

Briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-30018 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina

The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Croatia, Sweden and Yugoslavia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Zivalj (Bosnia and Herzegovina) took a seat at the Council table; Mr. Šimonović (Croatia), Mr. Schori (Sweden) and Mr. Šahović (Yugoslavia) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Mr. Petritsch to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to documents S/2001/181 and S/2001/212, letters dated 26 February and 8 March 2001, respectively, from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General.

At this meeting the Security Council will hear a briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. I give him the floor.

Mr. Petritsch: I speak to the Council at a testing time for the hard-won peace in the Balkans. The smoke over mountain villages and the angry crackle of gunfire have come back to haunt us in Macedonia and in Serbia, and the calls for ethnically based division are being sounded once more in mainly Croat parts of Bosnia and Herzegovina.

But this time we cannot claim ignorance of the challenges we face in consolidating the peace in southeastern Europe. We see them for what they are: leaders of the past who fear the positive and very real changes of the present will see themselves disinherited, both politically and financially.

This report is the eighteenth by a High Representative, and this is the fourth time that I have had the honour of addressing the Security Council. I want to use this opportunity to show how my Office, and other international organizations that I coordinate in Bosnia, like the United Nations, are working successfully against the dangerous voices of division in Bosnia and Herzegovina. I want to show how the rule of law and market economic reforms are turning the country around and setting it on the path towards integration with Europe and how all this can serve as a model for the rest of the region.

What we must not do is cower at the appearance of a few gunmen or noisy threats and give up on all our hard work and the billions of dollars that have gone into building the foundations for a stable and prosperous Balkans.

Our continued engagement in Bosnia and Herzegovina can be read in two ways: as a moral imperative or, simply, as self-interested common sense. Either way, the international community would come out the loser if we were to give up with the job half done. I should like to explain why.

Given the revolutionary changes last year in both Croatia and Yugoslavia, last November's general election results in Bosnia and Herzegovina were seen

as a disappointment. But given Bosnia's character as a truly multi-ethnic country, where up to a quarter of a million people lost their lives in the 1992-1995 war, the shift to more moderate parties is both real and encouraging. Old nationalist parties, none of them with particularly strong democratic credentials, have seen their share of seats in the House of Representatives at the State level decline from 36 of 42 seats in 1996 to just 19 in the most recent election. The multi-ethnic Social Democratic Party (SDP) has the strongest representation, with nine seats.

This change has led, nearly 10 years after the outbreak of war in Bosnia, to the formation of the country's first non-nationalist Government at State level as well as in the mainly Bosniac-Croat Federation. In the predominantly Serb entity, Republika Srpska, a moderate technocrat heads the Government. The country's new State-level Prime Minister, Bozidar Matic has announced plans to implement market reforms, create jobs and get the hundreds of thousands of Bosnian citizens who remain refugees or displaced persons back to their homes. I regard this as an important indicator that my concept of local ownership of the problems is finally taking root. Do we want to abandon Mr. Matic now, just as Bosnia and Herzegovina is turning the corner?

A respected United States columnist, writing under the headline "Ethnic nationalism is still prevailing", thinks that we probably should. He wrote,

> "the future will probably see non-Muslim Bosnia and Herzegovina partitioned between Croatia and Serbia. Today's Bosnia and Herzegovina, forced into birth by Richard Holbrooke during the Dayton negotiations of 1995, is probably too much of an artifice to survive."

Worryingly, this idea appears to be gaining currency in the halls of academe and elsewhere on both sides of the Atlantic. The only recently discredited idea of "ancient ethnic hatreds" — an excuse that the international community used in order to do nothing in the early 1990s — is gaining ground just as its nationalist proponents in Croatia, Yugoslavia and Bosnia itself are, in fact, losing ground.

One of those losing ground is Mr. Ante Jelavic. After many provocative acts on his part, I removed him this month as a member of Bosnia's Joint Presidency. I further banned his involvement with any political party, including the Croatian Democratic Union (HDZ), which he led up until two weeks ago. Three of his hard-line deputies are under the same ban.

Mr. Jelavic worked to tear up the Dayton Peace Accords, threatening the constitutional order in Bosnia and Herzegovina and the country's peace. His party has boycotted official institutions for months, leaving those who voted for it unrepresented. His party held a political rally disguised as a referendum on election day last November, despite specific warnings not to do so. He actively participated in a rally in support of two men convicted by the war crimes Tribunal in The Hague last month for crimes against humanity. Shortly afterwards, his party, claiming to speak for the Bosnian and Herzegovinian Croats, announced a plan for self-rule. I was forced to act decisively.

Our columnist would probably say, "Well, I told you so." But what is this really about? For many years, nationalists of Mr. Jelavic's stripe got rich by exploiting fear and suspicion among a population that is still trying to get over the terror of the war. The HDZ, in an inflammatory election advertisement that was subsequently banned by the Organization for Security and Cooperation in Europe (OSCE) for breaching election rules, portrayed the Bosnian Croats' Muslim neighbours as bloodthirsty Saracens who put innocent children to the sword. It does not take much to convince people with limited access to balanced information that their livelihoods are in danger. For years, their play on fear guaranteed a good turnout at elections.

But parties like the HDZ are in trouble. Overall, the HDZ's votes for the State Parliament have dipped, from 340,000 in the first post-war election of 1996, to just 160,000 last year. It is true that the Serbian Democratic Party (SDS), founded by indicted war criminal Radovan Karadzić, did well in the Republika Srpska. But that party had to accept the moderate Government that I mentioned earlier.

Overall, the sources of fear, and the cash it raised to fill nationalist party coffers, are starting to fade. A record number of refugees and displaced persons last year decided it was safe enough to go home. There were still criminal incidents aimed at scaring them away — house burnings in the eastern town of Srebrenica, demonstrations and daily intimidation of housing officials charged with implementing tough new property laws.

But there were more than 67,000 registered returns in Bosnia and Herzegovina in 2000. These are people returning to areas where they constitute a minority; that figure is almost double the rate in 1999.

The United Nations High Commissioner for Refugees has reported that there were no tent cities this winter and that returns have got off to a good start this year thanks to mild weather. There were more than 4,000 minority returns throughout Bosnia and Herzegovina alone in January of this year, against the barely 1,700 registered in January last year.

When a Bosniac refugee has the confidence to return to a place like Srebrenica, the site of Europe's worst massacre since the Second World War, it is a fairly safe bet that the nationalist message is losing ground. I will continue to act decisively to remove any officials who obstruct the rule of law in the vital area of returns. The nationalists do not like how the rule of law and market reforms have started to chip away at their once-powerful economic fiefdoms and at the institutionalised banditry they once took for granted.

In early January of this year, the payments bureaux — the old communist monopoly on financial transactions, which were under the thumbs of the three main nationalist parties during the war — were finally closed down. Commercial banks, including several Western banks, have taken their place and are providing better services and real competition. The cost of borrowing has fallen from around 30 per cent to just 10 per cent.

But Bosnia and Herzegovina remains far too reliant on international aid flows, which make up an estimated 60 per cent of gross domestic product (GDP). But real GDP growth in 2000 was a respectable 10 per cent, and inflation increased in the Federation half by just 3 per cent. Inflation slowed considerably in the Republika Srpska, to 8 per cent in 2000. Pensioners remain very vulnerable, but a controversial law to end a damaging cycle of payment arrears is working. Their angry protests of last year have stopped.

Too many of these positive advances have had to be imposed by my me. Bosnia's outgoing Administration refused to adopt the pension reform law, risking tens of millions of dollars in badly needed aid from the International Monetary Fund and the World Bank. I had to impose it. But I believe that with Bosnia and Herzegovina's new Administrations in place, the country's citizens have, for the first time, leaders who want to own this process and get on with the business of government themselves.

Both the new State and entity Governments have ambitious plans to further the reforms — cutting tax rates and widening the tax base, improving collection of customs and excise payments and pushing forward with privatization — to attract both domestic and foreign investors and to balance official budgets. The new Governments are very interested in putting an end to the smuggling of cigarettes and alcohol, which costs them an estimated quarter billion dollars in lost revenues each year. Part of the greater confidence is greater transparency and rule of law, something which is, again, not to the taste of the nationalists.

Last month I removed Edhem Bicakcic — until recently the Federation's Prime Minister and a senior member of the Bosniac Party of Democratic Action (SDA) — from his new post as director of the power utility Elektroprivreda. Mr. Bicakcic is under four separate criminal investigations for fraud and abuse of public office. I did not want him around as we set about this year to overhaul public utilities such as power generation and telecoms, where efficiency and price will determine distribution, not the supposed ethnicity of their subscribers. This has sent a clear signal to officials to clean up their acts and, along with the creation of a State-level court to arbitrate international trade disputes, has done much to bolster investor confidence. It has done little for the confidence of the nationalists.

Since I last addressed the Security Council, I have also taken an important decision to set up constitutional commissions in both entities. These commissions will ensure that the historical Constitutional Court ruling on the so-called constituent peoples' case is put in place on an interim basis until its full implementation this summer. This legal mouthful means, in essence, that any constituent people in Bosnia — whether Serb, Croat, Bosniac or so-called other — have their rights as citizens fully protected in law even before the full implementation of the Court ruling. It will have a huge and positive impact in many areas of daily life, from the classroom to the workplace. The nationalists do not like this either.

Furthermore, I established the Independent Judicial Commission last December to shake up reform in the courts and prosecutors' offices across the country. This should help buttress the rule of law.

Positive reforms and democratic Governments that eye membership in the European Union are also now the daily fare of life in neighbouring Croatia and Yugoslavia. Bosnia has just named its first Ambassador to Belgrade.

How does the many-voiced international community ensure that the Balkans integrate with Europe as a peaceful and prosperous region? For all the complexities, I believe the answer is relatively straightforward. First, we must continue to ensure our full support for the United Nations International Criminal Tribunal in The Hague. This is an institution which is getting results. A landmark conviction in the Kunarac trial last month saw mass rape, as a crime in itself, punished for the first time as a crime against humanity, with huge consequences for women's rights worldwide.

Many indicted war crimes suspects also see the writing on the wall. In January, Biljana Plavsic, a former President of the Republika Srpska charged with crimes against humanity, handed herself over to the Court. This month, Blagoje Simic, who was indicted for crimes against humanity committed when he was a top civilian official in the Bosnian town of Samac during the war, travelled to The Hague to hand himself over for trial. He is the first Yugoslav citizen to do so voluntarily.

We must not let up the pressure. The United States Government has made it clear to the new authorities in Belgrade that they must cooperate with the Tribunal or face having international aid cut off. This must not be an empty threat. We must see to it that Slobodan Milosević, Radovan Karadzić and Ratko Mladić face trial for their part in one of the last, grim acts of a dark century. As the writer Michael Ignatieff has said of leaving war crimes unpunished,

> "the cycle of impunity remains unbroken, societies remain free to indulge their fantasies of denial".

Secondly, we must stop paying exclusive attention to men with guns like those on the Macedonian border and in the Presevo Valley in southern Serbia. We fail when we are not clear; but we succeed in Bosnia and Herzegovina, in Croatia and in the Federal Republic of Yugoslavia whenever the international community speaks with one voice.

The redrawing of borders in the Balkans in an attempt to meet the impossible demands of exclusivist nationalists pursuing a mono-ethnic ideal that can be realized only on a remote island leads only to more killing and to prolonged international engagement. Chaos benefits only the *ratni profiteri*, the war profiteers.

What the implementation of the Dayton Accords shows is the importance of citizenship based on the rule of law, which has formed the foundations of a prosperous United States and a united Europe. This empowers people with the right to travel, trade and talk without fear, whatever their nationality, language or religion.

We have a very powerful means of persuasion. The peoples of South-Eastern Europe might not agree on much right now, but they do agree on this: all want to be members of a prosperous European Union. The journey will be a long one for them, but it must be more than a vague hope. We must continue to present this in very concrete terms, as we are doing through the Stability Pact and elsewhere. The future of the Balkan region is already being shaped in Bosnia and Herzegovina. The elections showed that its citizens are beginning to see how nationalism makes them poor and isolated. We must build on our success. We must not back away from a job half done.

The President: I thank Mr. Petritsch for his comprehensive briefing.

Before opening the discussion, I should like to acknowledge the presence at the Council table of the new Permanent Representative of Tunisia to the United Nations, Ambassador Noureddine Mejdoub. On behalf of the Council I should like to extend a warm welcome to Ambassador Mejdoub and wish him every success in his challenging task. We look forward to cooperating with him in the Council's work.

I shall now open the floor to the members of the Council.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): We are glad today to welcome Mr. Petritsch to our meeting. We consider that the report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina contains various assessments that prompt a mixed reaction on our part. On the one hand, in the political and economic fields, as Mr. Petritsch noted, there are

positive phenomena, but along with these there are also facts that cause us serious concern.

We note that as a result of the elections that took place last fall, the moderate forces, for the first time since the signing of the Peace Agreement, have won a victory over the nationalists. However, the latter, united in the Croatian Democratic Union, are refusing to participate in implementing the results of the elections and are boycotting the majority of State institutions of Bosnia and Herzegovina, as well as institutions on the entity level.

Together with growth in the gross domestic product and measures being undertaken to right the economic situation in the country, as mentioned by the High Representative, the economy of the country unfortunately remains unstable. This is having a negative impact on the social and economic living conditions of the majority of the population. The level of corruption remains high, which is blocking the implementation of the Peace Agreement and the carrying out of reforms. Together with accelerated rates in the return of the refugees, there continues to be an outflow from the country primarily of young people and the intellectual elite. This is also a cause of concern. The listing of these contradictory facts could be continued, but those already mentioned suffice to describe the situation in Bosnia and Herzegovina as one that is causing difficulties.

In that context, I would also like to draw attention to a few processes on which we would like to hear the additional views of the High Representative. In particular, we continue to have doubts regarding the justification of the efforts to speedily conclude the draft for a single united defence doctrine of Bosnia and Herzegovina. We consider this a direct step towards building united armed forces for Bosnia, which runs counter to the provisions of the Dayton Agreements.

In addition, everything is not clear regarding the concept of State restructuring on the basis of cantonization. As we understand it, the basis of this proposal is the idea of the elimination of the entities. How, in that case, will their interests be ensured? How does this idea correspond to Dayton? We know that the High Representative described this idea as an interesting one, although premature. We would like to hear the view of the High Representative as to what, then, makes it attractive.

We have one more comment. According to several assessments, proposals regarding making amendments to the Constitution of the entities attest to the intention of radically changing their internal structure. For example, it is proposed that the constitutional commissions, which were created and so far have existed only on a temporary basis, be inserted into the Parliaments as permanent organs. We believe that making fundamental amendments to the Constitution of the entities will, in fact, become a step towards a silent review of Dayton, which cannot be allowed.

We would be grateful to the High Representative for his comments on the questions that we have raised.

Mr. Kolby (Norway): It is a pleasure to welcome High Representative Wolfgang Petritsch to the Council and to hear his comprehensive briefing on the situation in Bosnia and Herzegovina. I can assure him of my Government's continued support in his efforts to implement the Dayton/Paris Accords.

Norway commends the High Representative's peace implementation initiatives in the areas of economic reform, refugee return and the consolidation of State institutions. We recognize that important progress has been made in these areas in 2000. But many challenges remain. The Dayton/Paris process has proved far from self-sustaining. We emphasize the fundamental responsibility of the Bosnia and Herzegovina State, entity and local authorities in this regard. The High Representative's decision to establish constitutional commissions in both entities is an important, though temporary, measure to protect the vital interests of the constituent peoples of Bosnia and Herzegovina.

Norway is concerned about the political and economic situation in Bosnia and Herzegovina. We welcome the formation of non-nationalist Governments at State and entity levels following the general elections in November last year and call upon the respective Governments to implement policies in accordance with the priorities given by the Peace Implementation Council meeting in May 2000.

My Government firmly condemns attempts by the Croat National Congress to establish a Croat entity within Bosnia and Herzegovina. This clearly contradicts the Dayton Peace Agreement and threatens the political stability of Bosnia and Herzegovina. Following repeated undermining of the Dayton Peace

Agreement, the High Representative had no other option but to remove Mr. Jelavic from the Presidency of Bosnia and Herzegovina, as well as other officials holding public office and positions within the Croat National Congress.

Norway appreciates the efforts of the High Representative to ensure that the Agreement on Special Parallel Relations between the Federal Republic of Yugoslavia and Republika Srpska is in accordance with the Dayton Peace Agreement and the Constitutions of Bosnia and Herzegovina and the Republika Srpska.

Norway underlines the crucial role of neighbouring countries in promoting a viable, stable, multi-ethnic and unified State of Bosnia and Herzegovina. We expect that the recent democratic changes in Croatia and the Federal Republic of Yugoslavia will have a positive impact on the political development of Bosnia and Herzegovina.

My Government would like to stress the importance of taking a regional approach to the problems in the Balkans. The tensions in southern Serbia, Kosovo and on the Macedonian side of the border could also adversely affect political and economic developments in Bosnia and Herzegovina. The increasing problems of organized crime, illegal trafficking, economic stagnation and political instability can be adequately dealt with only within a regional framework and with a unified international approach.

Norway has over the years been a consistent provider of personnel and financial assistance to Bosnia and Herzegovina, as part of the significant efforts of the international community to bring lasting peace and stability. It is now time for the governments of Bosnia and Herzegovina and its constituent entities to shoulder a greater share of the responsibility in developing a sustainable, peaceful and democratic solution for Bosnia and Herzegovina.

Mr. Doutriaux (France) (*spoke in French*): I, too, should like to thank the High Representative, Mr. Petritsch, for his very comprehensive briefing on the situation in Bosnia and Herzegovina.

The Permanent Representative of Sweden will speak later on behalf of the European Union. My delegation naturally endorses his statement, and I should simply like to emphasize a few specific points at this time.

The recent formation of the Government of Mr. Matic as a result of the general elections held on 11 November reflects the new atmosphere in Bosnia and Herzegovina, as just indicated by the High Representative. After five years of nationalist domination following the signing of the Dayton Accords, the changeover to a coalition of pluri-ethnic, democratic and modern parties has become a reality. Every effort must be made to ensure that the hopes raised in those elections are not dashed. It was this spirit that Minister Védrine travelled to Sarajevo on 9 March to take stock of the changes that have occurred since the recent elections and to encourage the new authorities to undertake reforms and to encourage coexistence among their communities.

Indeed, it is crucial that all necessary assistance be provided to the new Government of Bosnia and Herzegovina so that it can meet the challenges before it.

The most recent and important of those challenges was the dissidence of the leaders of the Croatian Democratic Union (HDZ), who chose to violate the Dayton Accords. France supported the decision taken by the High Representative to remove the Bosnian Croat member of the joint presidency of Bosnia and Herzegovina, Mr. Ante Jelavic, as Mr. Petritsch has just recalled. That step was necessary. Given the delicate institutional balances in Bosnia and Herzegovina, it is particularly necessary to make clear to all that the framework defined by the Peace Agreement must not be deviated from. Bosnian citizens of Croatian origin, as well as other nationals of the country, have no other option except to engage in a democratic dialogue in the framework of legal institutions.

It is pivotal now for the new authorities to consolidate their country and to undertake the necessary economic and social reforms.

In Bosnia and Herzegovina, the economic situation is a priority. The economy will be decisive in the coming general elections, to be held in the fall of 2002. The Bosnian authorities must be given support as they tackle the indispensable reforms set out in Brussels, at the ministerial meeting of the Peace Implementation Council in May 2000, and in the Road Map of the European Union. The fight against corruption must be at the forefront of these reforms. In more general terms, every effort must be made to

improve the economic environment. Confidence-building is necessary in order for investors to put their faith in the future of the country.

Reforms are first and foremost the responsibility of the authorities of Bosnia and Herzegovina. We encourage them to continue with determination on the course they have charted. The international community must provide support in this process. In this respect, Europe has a major role to play in the process to improve the situation.

The European Union is undertaking efforts in this respect, in particular in the framework of the process of stabilization and association. The pace of the rapprochement of Bosnia and Herzegovina with the European Union, in the framework of the process of stabilization and association, will depend on the progress made in ensuring that the criteria set forth by the European Union are respected. France therefore calls on the authorities of Bosnia and Herzegovina to continue their efforts, building on the foundation of the progress that has already been achieved.

The democratic changes that have taken place in Croatia and in the Federal Republic of Yugoslavia have strengthened the opportunities for reconciliation and cooperation among the States of the western Balkans, despite the persistence of hotbeds of tension. In this context, Bosnia and Herzegovina has entered into diplomatic relations with its all of neighbours. Simultaneously, the entities themselves have also entered into special relationships with neighbouring States, in conformity with the Dayton Accords.

Mr. Chowdhury (Bangladesh): Bangladesh is highly appreciative of the role played by High Representative Wolfgang Petritsch in an exceedingly difficult and complex mission. We are grateful to him for his eighteenth report, sent to the Council in document S/2001/219. The report provides a detailed analysis and information on all issues relating to the implementation of the Framework Agreement. His briefing this morning, which we appreciate, traces the difficulties faced and the challenges ahead.

It is important that we recall the Srebrenica tragedy when we discuss the situation in Bosnia and Herzegovina. We commend Mr. Petritsch for the decision on the cemetery and memorial for the victims of the Srebrenica massacre. As he noted, this has been essential in helping Bosnia and Herzegovina come to terms with its past. He should have the fullest support of the local authorities and the international community in implementing the decision as soon as possible.

We have noted the progress made and the difficulties encountered in implementing measures in the three key areas identified by the Peace Implementation Council last May: consolidation of institutions, refugee return and economic reforms.

I turn first to the question of institutions. The 11 November general elections, which the Council had welcomed, marked a significant development. For the first time since the signing of the Peace Agreement, the moderate forces established their majority.

The establishment of Constitutional Commissions is a major achievement. It is important that the constituent peoples and others be protected against discrimination. The entity parliaments should engage, without wasting time, in the debate on amendments to their respective Constitutions.

The setting up of the Independent Judicial Commission last December represented important progress. As we all know, establishing the rule of law and good governance is at the core of the socio-economic challenges facing Bosnia and Herzegovina.

We have followed the recent conclusion of the special relationship agreement between the Federal Republic of Yugoslavia and the Republika Srpska. The agreement should be consistent with the Peace Agreement and supportive of the sovereignty and territorial integrity of Bosnia and Herzegovina. The High Representative will have all our support in addressing the matter.

It is a matter of serious concern that at a time when State and entity-level governments are being formed through a democratic process, moves are being made to undermine the peace process. In this context, we denounce the unilateral decision to establish Croat self-rule by the so-called Croat National Congress.

The second question is that of the economy. The consolidation of peace in that war-ravaged country will depend largely on the recovery of its economy. We have noted the measures taken by the High Representative to address matters within his competence. The Bosnian economy is extremely fragile. It is plagued by too many factors, and the unemployment rate is between 40 and 50 per cent. We encourage the international community to further strengthen its efforts to help the economy to recover.

As Mr. Petritsch stressed, the work must not be left half done.

Third, refugee return. The progress in refugee return has been very slow. We have noted 67,000 minority returns over the past year; a modest 26,000 more than in 1999. The fact that returns have taken place in several localities is a good sign. It is encouraging to note that returns have picked up this year. However, it is worrying that five years after the war there is still about a quarter of a million people outside the borders, and three-quarters of a million remain internally displaced. The return of refugees, as the High Representative underlined, has to be facilitated by targeted programmes, including for the creation of economic opportunities to make them sustainable.

In conclusion, I would like to ask two questions. The Council extended the mandate of the mission in Bosnia and Herzegovina until 21 June 2001, against the backdrop of visible and encouraging signs of progress in Bosnia and Herzegovina. Special Representative Jacques Klein had, against the backdrop of the positive developments last year, suggested that the end of 2002 should be the target date for the completion of core mandates of the United Nations Mission in Bosnia and Herzegovina. We would like to know how Mr. Petritsch sees the possibility of meeting the objectives of the implementation of the Framework Agreement and the conclusion of the United Nations Mission in Bosnia and Herzegovina.

My second question concerns relations with Belgrade. The changes in the political landscape in the Balkans last year had raised hopes for a speedier implementation of the Dayton Agreement. President Kostunica declared during his visit to Sarajevo that he would defend the Dayton Agreement and expressed his desire to normalize relations with Bosnia and Herzegovina. In this connection, we would like to know more about the High Representative's contacts with Belgrade.

Mr. Minton (United States): We would like to extend a very warm welcome to the High Representative and thank him for his report. We would also like to welcome to the Council for the first time the new Ambassador of Tunisia, Ambassador Mejdoub. Welcome, Sir.

We have in the situation before us today, as often is the case in this area of the world, a mixture of positive developments and ongoing challenges. At the State level and in the Federation we have a coalition of moderate non-nationalist parties, which has expressed its commitment to the international community's priorities in Bosnia and Herzegovina. And yet at the same time, this majority is extremely fragile. It will not be easy to achieve the important steps that are needed for making progress in refugee returns, the consolidation of State institutions and economic reform. This is a big job and it will take time.

Likewise, while there is a non-ideological government of experts in the Republika Srpska, no one doubts the continuing influence of the Bosniac Party of Democratic Action (SDA) and other nationalist parties in the Republic. And sadly, the nationalist Croatian Democratic Union (HDZ) party continues to pursue an obstructionist path that, we are confident, is merely the last gasp of an obsolete and defeated faction. We applaud the resolute action that the High Representative has taken to deal with those leaders who attempt to reverse progress by clinging to such nationalism.

I have reviewed some of these details because my delegation believes that the High Representative must monitor the situation closely and take strong and concerted action when necessary. We do not disagree with the High Representative's concept of ownership, but my Government has made very clear its continuing belief that the international community has an important role to play in pushing for progress when it grinds to a halt. It is Ambassador Petritsch, the High Representative, who leads the international community's efforts in this regard.

Another important point is that we are encouraged by the positive news on refugee returns, but there is still important legislative action that must be taken to push this process further.

We would also like to note our deep concern about the special agreement between the Federal Republic of Yugoslavia and the Republika Srpska. As the statement you will read, Mr. President, at the end of this meeting makes clear, it is important that the High Representative monitor the final details of this agreement to ensure that it does not undermine the sovereignty of Bosnia and Herzegovina or violate the Dayton Peace Agreement in any way.

Finally, my delegation would have liked a specific call in the presidential statement for the

adoption and the implementation of a permanent election law as soon as possible. This is the most useful and appropriate response to the irresponsible action of the HDZ, and we urge all of Bosnia's duly elected representatives to make it a priority in the coming six months.

Mr. Mejdoub (Tunisia) (*spoke in French*): I wish to thank you for this welcome, Mr. President, that you have extended to me and for having introduced me to the members of the Council. I am grateful to you and to the members of the Council.

As the new Permanent Representative of Tunisia to the United Nations I am speaking for the first time in this body. I wish to welcome you, Minister Zlenko, to New York. I would like through you, Ambassador Yel'chenko, and through Ambassador Kuchynski to pay a tribute to the Ukrainian presidency, which is providing moderation and innovative ideas and enjoys the greatest respect.

I also wish to greet my Security Council colleagues, who are my elders in this forum, and assure them of my willingness to work with them in the spirit and objectives of the Charter and in the context of friendship and cooperation, which our mission maintains with all.

I now turn to the item on our agenda. I wish to thank to you, Mr. President, for having taken the important initiative of organizing this briefing on the situation in Bosnia and Herzegovina. These periodic meetings are all the more important because they summon us to carry out constant follow-up to the implementation of the Peace Agreement and thus to assess progress made in its implementation through today. I also wish to thank Mr. Petritsch, the High Representative, for his excellent statement on the development of the situation in the region.

Tunisia considers that the breakthrough of the moderate parties during the elections last November is a good sign. We voice our satisfaction in this regard that Bosnia and Herzegovina has acquired an elected Council of Ministers, whose main objective is to undertake basic reforms on all levels, particularly by advancing the noble values of tolerance and peaceful coexistence among all the ethnic groups. We are gratified to learn that significant progress has been made in this area, particularly the recognition of the flag, emblems and national anthem of Bosnia and Herzegovina by the National Assembly of the Republika Srpska — symbols of a united State and of a symbiosis of communities.

However, it should be noted that the international community should not show any tolerance for any secessionist designs of the nationalist parties. In this respect, like my colleague from Bangladesh, we deplore the proclamation of autonomy by the nationalists Croats of Bosnia and Herzegovina, and we hope that they will reconsider their decision in the light of the Peace Agreements.

We believe that a united, stable, multi-ethnic State is a factor for regional balance that will make it possible to contemplate calmly the future in Bosnia and Herzegovina within the framework of European integration.

A strong and prosperous economy in Bosnia and Herzegovina is unquestionably a factor for peace-building in that country. It therefore seems to us important that special attention be paid to the economic difficulties experienced by Bosnia and Herzegovina, which flow directly from the effects of the war that it underwent. We are particularly sensitive to the rise in debt-servicing costs in Bosnia and Herzegovina and call upon the donor countries and credit organizations to show understanding in view of the fragility of the economic situation in that country and its consequences for social peace.

The reform of the judicial system is one of the pillars of a State of law. We believe that it is critically important for this reform to be concluded in the best possible conditions. The application of laws in impartial and non-discriminatory fashion will assist in establishing confidence and reconciliation among the Bosnian communities. In that context, we support the creation of the Independent Judicial Commission, which has been entrusted by the Office of the High Representative with the implementation of a consistent and comprehensive reform of the judicial system.

We also applaud the creation of the function of national mediator. It is essential that this post remain neutral and apolitical so that it can properly play its role, particularly in championing human rights and restoring the rights of citizens.

More than five years have elapsed since the signing of the Peace Agreements in the country. The refugees, however, have still not returned despite the untiring efforts of the international community. It is

true that significant progress has been made and that the return of the minorities has noticeably increased in all regions of the country, but we continue to believe that an acceleration of targeted programmes allowing the refugees to return to their rightful place in Bosnian society — measures such as strengthening security around zones in which minorities live, the settlement of real estate issues and access to basic public services — will help in advancing the flourishing of a multi-ethnic society in Bosnia and Herzegovina.

Tunisia would like to take this opportunity to voice its concern regarding the possibility of a halt to the demining programme in the spring due to a lack of funds. Energetic action by the High Representative in this respect should renew the confidence of the donor countries and prompt them to continue to provide necessary assistance to undertake the total demining of all of the mine-infested regions of the country.

Moreover, we believe that any disengagement on the part of the international community from Bosnia and Herzegovina at this decisive stage is premature and likely to have unexpected consequences. The events taking place in the region show us how fragile the situation is.

In conclusion, I should like pay tribute to Mr. Wolfang Petritsch for his decisive action to implement the Peace Agreement for Bosnia and Herzegovina and to express to his entire team my delegation's support.

The President: I thank the representative of Tunisia for his kind words to me and to my colleagues.

Mr. Shen Guofang (China) *(spoke in Chinese):* I wish first of all to thank you, Mr. President, for having arranged today's meeting to consider the question of Bosnia and Herzegovina. My delegation also wishes to thank the High Representative, Mr. Petritsch, for his report and for his very interesting briefing.

On behalf of the Chinese delegation, may I also take this opportunity to warmly welcome the new Permanent Representative of Tunisia to the work of the Council.

On the whole, my delegation is satisfied that the situation in Bosnia and Herzegovina is stable and that the Peace Agreement is being implemented. Of course, this should be attributed to the political good faith and cooperation of the various parties and ethnic groups in Bosnia and Herzegovina, and is also closely related to the help provided by the international community.

However, we should also note that progress in implementing the Peace Agreement has been slow. Arduous tasks still lie ahead. In areas such as increasing the self-reliance of Bosnia and Herzegovina, the realization of reconciliation, harmony among the various ethnic groups, post-war reconstruction and the return of minority refugees, much work remains to be done for the various parties in Bosnia and Herzegovina.

We hope that the various international agencies in Bosnia and Herzegovina will intensify their work and continue their close coordination and cooperation. But we must note that the participation of the international community in the reconstruction of Bosnia and Herzegovina must be based on the Bosnian people being the major players. The focus of our work should be on helping the local people develop self-reliance, and gradually reducing their dependence on outside assistance, so as to avoid a situation in which, when international assistance is reduced, various social and political problems resurface.

China believes that achieving ethnic reconciliation is the fundamental basis for peaceful coexistence among the various ethnic groups in Bosnia and Herzegovina and for a peaceful and prosperous life, but that the country is a long way from the realization of this goal.

China notes that among various factions there are still radical and extremist forces. In his report Mr. Petritsch also pointed out that nationalist parties still enjoy great support from their respective ethnic groups. We are particularly concerned at the divisive information propagated recently by the Croatian Democratic Union (HDZ).

At present the situation in the West Balkans continues to worsen. We are worried that such extremist nationalist action will encourage nationalists in Bosnia and Herzegovina. Therefore, it is necessary that the parties concerned remain highly vigilant and take precautionary measures to prevent the occurrence of any such incidents.

Finally, we would like to reiterate our support for the work of the High Representative, and we wish him and his team continued success in their future work.

Mr. Eldon (United Kingdom): Mr. Foreign Minister, it is very good to see you in the Chair again and a great honour to have you here.

Before welcoming the High Representative, I should also like to welcome the new Permanent Representatives of Tunisia and Bosnia and Herzegovina. The United Kingdom delegation looks forward to working with them closely in the future.

I must also apologize to Mr. Petritsch for not being able to be here for his briefing, but life is getting like that at the United Nations and in the Security Council these days. I have nevertheless had a full account, and I want to underline that we regard the briefing today as a very important contribution.

I think it is noticeable that since Mr. Petritsch was with us last, there have been a number of significant achievements, and we congratulate him on those, particularly the implementation of the Brussels Peace Implementation Council commitments. The work of his office is clearly making an impact, and I would very much like to support his sentiment, expressed earlier today, that we must finish the job and finish it properly.

As Mr. Petritsch said, four months on from the November general elections, we now have new and moderate Governments in place at State level and in both entities. This is a very significant achievement.

We also very much welcome the progress on the communications regulatory agency, the State court and the independent judicial commission.

What the High Representative has said about increased refugee return is also a very good sign, and it is a particularly good sign that returns are beginning to take place in areas such as Srebrenica. But more progress is needed in that area, and I would welcome the High Representative's views on what more might be done to get the refugees back. That is only one of the further tough challenges ahead, particularly for the State-level Government. The first of those further challenges will be the passing of a new elections law. The initial signs in that area look promising, and we must all make every effort to build on the progress that has been made so far.

We also support the High Representative's general approach, including his removal of Mr. Jelavic, which should target the troublemakers and the Bosnian Croatian Democratic Union (HDZ). But at the same time, it will also be important to reach out to the Bosnian Croat community. Again, it would be very helpful to know whether the High Representative has any particular ideas on this sort of outreach effort which he would wish to share with us today. We would also encourage the Office of the High Representative to work closely with other regional Governments, particularly the Government in Zagreb, in this area.

Several delegations around the table have mentioned the special agreement between the Federal Republic of Yugoslavia and the Republika Srpska. It is very important that any further details in the annexes to that agreement, which have yet to be completed, should be approved by the High Representative. In particular, the issue of military relations between the Federal Republic of Yugoslavia and the Republika Srpska must become fully transparent. It is also essential that the High Representative should continue to engage President Kostunica in the process of Dayton implementation. The next step must be the signature of the State-level agreement between the Federal Republic of Yugoslavia and Bosnia.

I have deliberately avoided making a full statement, partly because it is our hope that this meeting will be interactive in character, because that it is the way these things are most useful, but partly also because the representative of Sweden will be speaking later today on behalf of the European Union, and my delegation fully associates itself with what the representative of Sweden will say in his presidency capacity.

But I want to conclude with a word of support from the United Kingdom with regard to what Mr. Petritsch said about the question of bringing International Criminal Tribunal for the Former Yugoslavia (ICTY) indictees to trial. That is a crucially important element, and when the Prime Minister of the Federal Republic of Yugoslavia was here earlier this month I made the same point to him then. I know that he took it on board. The more cooperation can be extended to the ICTY, the quicker the trials can begin; and the quicker all the indictees find their way to The Hague, the better it will be for us all.

Mr. Cooney (Ireland): I thank you, Mr. President, for calling this meeting. I take this opportunity to acknowledge the presence of the new Permanent Representatives of Bosnia and Herzegovina and of Tunisia; we wish them welcome. I would like to thank Mr. Petritsch for his informative briefing on the

situation in Bosnia and Herzegovina. We commend his excellent work in implementing the Dayton/Paris Agreements, as outlined in his most recent report. We take this opportunity too to pay tribute to the excellent work of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), which, as Mr. Petritsch has said, must be carried through to its conclusion. Its achievements in reforming and restructuring the law enforcement agencies in Bosnia and Herzegovina, particularly the police, are impressive indeed.

As Ireland fully subscribes to the statement which will be delivered later by the Permanent Representative of Sweden for the presidency of the European Union, I will be very brief and will highlight only a few points of particular national interest.

Ireland believes that the democratization and development of Bosnia and Herzegovina are essential to overall stability in the Balkans. Since the signature of the Peace Agreement more than five years ago, considerable progress has been achieved there. We believe that the regional approach adopted is the correct one, and we urge all parties in the region to contribute to the strengthening of inter-State relations. At the same time, we believe that there is continued need for the involvement of the international community in Bosnia and Herzegovina. Ireland, as a member of the European Union, will continue to be active in that regard.

Ireland welcomes the formation of a moderate Government in Bosnia and Herzegovina which, for the first time, contains no extreme nationalistic parties. We support the programme outlined by that Government and hope that it will make rapid progress in establishing State institutions to promote a sustainable democratic and multi-ethnic civil society. The Government must undertake serious political, economic, human-rights and rule-of-law reform in order to improve the conditions of all people in Bosnia and Herzegovina. Such reform will strengthen the capacity of the country for self-sustainability and will help it to fulfil the conditions outlined in the European Union road map for moving towards full European integration.

Ireland joins others in condemning the recent unilateral moves by the self-styled Croat National Congress in Bosnia and Herzegovina to establish a kind of Croat self-rule. Such moves are a clear violation of the Peace Agreement. We support the decisive action taken by Mr. Petritsch in removing Mr. Jelavic and others from their offices and their positions within the Bosnian Croatian Democratic Union (HDZ). We urge all parties to work within the legal institutions of Bosnia and Herzegovina and of its entities to promote their legitimate interests. Such an approach is the only way forward.

While we recognize that progress has been achieved, we remain extremely concerned about the situation of the more than one million refugees and displaced persons remaining in Bosnia and Herzegovina. The authorities in the country and elsewhere must make progress on that issue and on implementing property rights laws, both of which are central to the normalization and stability of the region.

We are also concerned about the level of human trafficking and illegal migration through Bosnia and Herzegovina. This has obvious implications for stability, not just in Bosnia and Herzegovina itself, but in the wider region. We recognize the efforts of the State border service in that regard and agree that the service needs to be further strengthened.

Finally, we express our pleasure that progress is being made in bringing to justice the perpetrators of crimes committed under previous regimes. We encourage all parties in the region to make further progress on this extremely important issue and to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia.

Mr. Mahbubani (Singapore): Please allow me to begin with some brief words of welcome. First, I would like to welcome Mr. Wolfgang Petritsch. Secondly, I would like to welcome Ambassador Noureddine Mejdoub of Tunisia, my neighbour on my left, and to congratulate him on his maiden appearance and speech. And finally, I would also like to welcome the new Permanent Representative of Bosnia and Herzegovina; I am pleased to see him here, as I have not had the pleasure of meeting him before today.

We also welcome this opportunity to examine progress made in efforts to rebuild Bosnia and Herzegovina, which remains a major challenge for the United Nations and for the international community — a challenge that is clearly far from over.

In this regard, we would like to thank Mr. Wolfgang Petritsch for the candid and comprehensive briefing that he gave us this morning. I

can say that I, personally, learned a lot from the briefing he gave us. We also want to join our colleagues in commending Mr. Petritsch and his colleagues for the progress that has been made in implementing the Peace Agreement.

However, in our remarks today, we would like to step back a little and look at the issue from what is perhaps a slightly different perspective. As you know, Mr. President, it has been more than five years since the Dayton Accords. We re-read the records of the most recent meeting of the Security Council on the situation in Bosnia and Herzegovina, which took place on 12 December 2000, shortly before the fifth anniversary of the signing of the Dayton Accords. On reading the record, we were struck by the note of optimism — albeit cautious optimism — sounded by a majority of the members of the Security Council. But we were even more profoundly struck by what appeared to be the dissenting opinion of Ambassador Peter van Walsum of the Netherlands, and I would like to quote him. He said,

> "Five years after Dayton we can only conclude that despite generous foreign aid, to the tune of $5 billion, both the political and the economic situations of Bosnia and Herzegovina are disconcerting ... Bosnia is at peace. Well, there is no more fighting, and the security situation is generally good. But the animosity among the three population groups has hardly subsided since Dayton. People are daily reminded of the war in a country where the borders of the entities reflect the military frontlines of 1995." (*S/PV.4245, p. 16*)

We believe that those words of Ambassador van Walsum describe the fragility of the situation in Bosnia and Herzegovina, and perhaps in the region as a whole, if the recent events in the former Yugoslav Republic of Macedonia are anything to go by. Indeed, as I listened to the opening remarks of Mr. Petritsch earlier today, I heard him say that the sounds of gunfire have again returned to the region. As I listened to his statement, it struck me that there were grounds for both optimism and pessimism for the region as a whole.

Given this backdrop, perhaps the question for us is whether the time has come for the Security Council to re-examine the approach that it is taking to Bosnia and Herzegovina. We are not, of course, suggesting that we abandon the Dayton Accords. But we should note that even the key architect of the Dayton Accords, Ambassador Richard Holbrooke, contemplated the necessity of modifying the approach at a conference on Dayton held in Sarajevo to mark the fifth anniversary of the Accords. Ambassador Holbrooke, in fact, described Dayton as "a living document that must adapt to new realities and confront new challenges as Bosnia grows and matures." He added, "We must not only fully implement it, we must seek to correct those flaws and defects which have become apparent."

For example, one key aspect of Dayton that Ambassador Holbrooke highlighted as needing change was the establishment of a united army, instead of the current forces divided between the Serbs, Croats and Bosniacs. Indeed, his words might now prove to have been prescient in the light of concerns over the activities of the Bosnian Croat army units following the threat of the Croatian Democratic Union (HDZ) to proclaim self-rule in Bosnian Croat majority areas, which has, we believe, been described as the sharpest challenge to the authority of the international community in Bosnia and Herzegovina.

Against this backdrop — and following on from the point that Ambassador Stewart Eldon made earlier, that we should make this into an interactive meeting at which we try to solicit new information from Mr. Petritsch — I thought that I would pose a few questions.

My first question relates to whether the recent moves by the Bosnian Croats to establish a self-governing council in Bosnia mean that the nationalist genie is once again out of the bottle. If I heard Mr. Petritsch correctly, I believe he hinted that such moves are only the dying gasp of old forces whose time has passed. But even if this is so, what are the measures being taken to bring the Bosnian Croats back onto the Dayton track? How can the Council complement his efforts?

The second question is a more general one, and it is related to Ambassador Holbrooke's remarks that I quoted earlier. Can Mr. Petritsch inform the Council whether there are any elements of the Dayton Agreements that should be modified or amplified to better meet the objectives of establishing enduring political stability in Bosnia and Herzegovina?

When we recently had a discussion here in the Council on Kosovo, we noted the paradoxical results of democracy: the successful democratic elections in

Yugoslavia, which we all welcome, led to increased tensions in Kosovo because they dampened the hopes of Kosovars who wanted independence. My third question, therefore, is whether the elections in Yugoslavia had any ripple effects in Bosnia and Herzegovina, and, if so, whether these ripple effects were positive or negative. I believe that the Permanent Representative of Bangladesh, Ambassador Chowdhury, raised a similar question in that regard.

Miss Durrant (Jamaica): I wish to join others in welcoming our new colleagues from Tunisia and from Bosnia and Herzegovina. We look forward to working closely with them on issues before the Security Council.

My delegation wishes to thank Mr. Wolfgang Petritsch, the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for his candid and extremely useful briefing. We commend him and the staff of his Office for their continued hard work and the initiatives taken aimed at creating a multi-ethnic society. We encourage his continued focus on the imperatives of post-war reconstruction and on achieving sustained economic growth and sustainable development.

When the Council last discussed the situation of Bosnia and Herzegovina, my delegation expressed the view that recent democratic developments, particularly in the Federal Republic of Yugoslavia, could have a profound impact on reconciliation and regional stability and growth. We expressed the view that the international community should take advantage of these opportunities to advance the peace process in Bosnia and Herzegovina.

Mr. Petritsch's briefing today, however, demonstrates just how fragile the situation is, and how necessary it is for the international community to continue to provide sustained support for the implementation of the Dayton Accords within a regional framework in order to ensure that the gains made over the past five years are not threatened.

We see the recent political changes in Bosnia and Herzegovina, including last November's elections and the revision of election rules and procedures, as positive and essential to the process of establishing a firm, multi-ethnic political and judicial basis for progress. It is against this background that we join others in seeing the bid by the Croat National Congress to establish Croat self-rule as a dangerous move away from the multi-ethnic political structure envisioned in the Dayton Accords. My delegation attaches importance to the need for all parties to work within the established legal institutions and constitutional framework. The pace of progress can only be hampered by the continued promotion of national and ethnic differences.

We remain hopeful that, despite the activities of the forces of separation, the High Representative will continue to focus in his talks with the different parties and political representatives on cooperation in various areas, including in effective border monitoring and in fostering and promoting multi-ethnic institutions.

Another area of concern for us it the slow pace of economic development. In his recent report to the Secretary-General, the High Representative confirmed that economic and social conditions remain precarious for most of the population, and that unemployment is extremely high. We encourage the building of economic capacity and sustainability, and call on the international community to continue to supplement these efforts by providing the necessary resources.

While some progress has been made in the return of refugees, the overall number remains low. The reluctance of refugees and internally displaced persons to return to their homes is related to the political and economic situation, as well as to the need to provide a safe and secure environment for all citizens of Bosnia and Herzegovina.

We agree with Mr. Petritsch that indicted war criminals must be brought to justice. We see the recent judgement of the International Criminal Tribunal for the former Yugoslavia involving the war crime of rape as sending a strong signal to those who believe that they can continue to escape justice.

In conclusion, Jamaica continues to support the work of the High Representative, the United Nations Mission in Bosnia and Herzegovina and the Stabilization Force aimed at establishing a firm foundation for effective and sustainable democracy.

Mr. Valdivieso (Colombia) (*interpretation from Spanish*): As my colleagues have done, I too would like to begin by welcoming our colleague, the new Ambassador of Tunisia, who has just taken up his responsibilities in the Security Council. We would also like to welcome the Ambassador of Bosnia and Herzegovina.

We are grateful for the information provided to us by Mr. Petritsch, the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. His contribution is essential for a full picture of what is happening in Bosnia and Herzegovina vis-à-vis the implementation of the Dayton Peace Accord.

The economic, political and social situation in Bosnia and Herzegovina has undergone positive changes in recent months. The results of the elections demonstrate the commitment of the citizens of that country to make real change. The increased return of displaced persons and refugees has made it necessary to reformulate the policies designed to deal with this issue, so as to make them sustainable in the long-term. The economic reforms being carried out represent the commitment that exists to achieve the structural progress and changes suggested by international economic bodies.

All these changes are still very fragile, which is why the international community cannot assume an attitude that would indicate that its commitment to this country is no longer a priority. History has shown us how the domino effect has had an effect on the conflicts in this region in particular. That is why we must avoid letting the existing institutional fragility make it possible for the crises in neighbouring countries to have negative effects on the consolidation of a multi-ethnic and multicultural society in this country.

We agree with the priorities set by Mr. Petritsch with regard to economic reform, the return of refugees and the consolidation of institutions. We also agree that working seriously to reach those goals would ensure the structural changes necessary to guarantee stability in the country. Nevertheless, we are concerned by the fact that the current political instability may diminish the efforts being made to reach those goals.

As many others have said, we reject the attitude taken by the Bosnian Croat nationalist party, which has become a threat to the implementation of the Dayton Agreement. We are concerned at the latent threat posed by that party's creation of an autonomous government, regardless of the fact that a decision to do so has been put off.

We have several questions in this regard that we hope Mr. Petritsch will help us clarify. First of all, notwithstanding the explanations he gave us in his briefing, it is clear that the attitudes of nationalists have found a response among various populations. What actual support do they have in the Bosnian Croat population? Secondly, what actions can, or should, be taken to prevent a negative effect on military forces? I would also like to ask Mr. Petritsch whether the initiatives of the Bosnian Croat nationalists could be imitated by other nationalist parties having the same tendencies? Finally, I would like to hear Mr. Petritsch's views as to whether the Security Council can make any contribution to ensure that this nationalist group abandon its objectives, which are contrary to the necessary process of democratization and the implementation of the Agreements.

To conclude, we would like to reiterate something we have said on other occasions. The conflicts in the Balkans cannot be dealt with one-by-one or in isolation; they must be analysed in a regional context. If we make a mistake in this regard, we will not reach a definitive solution; rather, we will consciously be putting off problems in order to solve them in the future. The achievements attained in Bosnia and Herzegovina must contribute to solving those problems by seeking to strengthen a model for international cooperation that leads to the establishment of a multi-ethnic society that can live in peace.

Mr. Touré (Mali) (*interpretation from French*): Allow me, on behalf of Ambassador Ouane, to welcome to the Security Council the new representative of Tunisia, a country with which Mali has fraternal relations. I would also like to welcome the representative of Bosnia and Herzegovina.

As previous speakers have done, I too would like to thank Mr. Wolfgang Petritsch, the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for his very detailed statement on developments in the situation in Bosnia and Herzegovina. My delegation would like to take advantage of today's opportunity to commend, and express its support for, the commendable efforts made by the High Representative in the area of implementing the peace agreements on Bosnia and Herzegovina. We believe that the results that have been achieved in implementing the Dayton/Paris Agreement are encouraging despite the plethora of difficulties encountered along the way.

On the political level, my delegation welcomes the formation of the new State Administrations and

entities after the holding of general elections on 11 November 2000. The people who have been entrusted with leading the Administrations should always bear in mind that they have a responsibility to work for the strengthening of the common institutions of Bosnia and Herzegovina by promoting good governance and democracy, as well as by transcending ethnic and partisan considerations. The sharing of power and responsibilities should inspire everyone as they carry out their functions. We believe that effective use of the new Administrations will contribute to strengthening the still fragile foundations of the democratic process in Bosnia and Herzegovina, and will make it possible to restore the integrity of its multicultural past.

The conclusion of an agreement on a privileged relationship between the Republika Srpska and the Federal Republic of Yugoslavia is in itself a good thing, as long as the agreement shows respect for the territorial integrity and sovereignty of all of Bosnia and Herzegovina.

On the economic front, my delegation believes that institutional reform must be accompanied by economic restructuring that allows Bosnia and Herzegovina to rely on itself by tapping its domestic resources. Along those lines, we would appeal urgently to the authorities to discharge their obligations to their communities, if they indeed wish to provide a better future for their country.

Economic development is the best guarantee of peace, and therefore my delegation urges the authorities of Bosnia and Herzegovina to persevere in the path of macroeconomic reforms already undertaken and to cooperate with international financial organizations to integrate the country into Euro-Atlantic structures.

The establishment of an efficient judiciary system that can provide sound justice to citizens is a cause of concern for my delegation. We welcome and encourage the efforts made in the reform of justice and institutions for the defence of human rights.

In the humanitarian field, my delegation notes with great interest the return of refugees, who are returning to their pre-war homes. This trend should be encouraged. All useful measures should be taken to assist those who are returning home and whose living conditions are precarious.

In conclusion, Mali reaffirms its support for the outstanding efforts made by the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Wolfgang Petritsch. For us, the stabilizing role played by the United Nations Mission in Bosnia and Herzegovina is essential for peace-building in Bosnia and Herzegovina.

Mr. Neewoor (Mauritius): I join my colleagues in extending a warm welcome to the new Permanent Representative of Tunisia.

My delegation wishes to thank Mr. Petritsch, the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for the candid briefing that he has given us this morning. We also thank him for the comprehensive report that he has submitted under the cover of his letter dated 12 March to the Secretary-General.

We have taken note of the strenuous efforts undertaken by Mr. Petritsch to implement the Peace Agreement. We appreciate the courageous measures taken to establish and strengthen vital institutions, so important for the consolidation of multi-ethnic democracy in Bosnia and Herzegovina. In particular, we welcome the establishment of an independent judicial commission charged with bringing about reforms to the justice system and the measures being taken to strengthen human rights institutions. We believe that the education sector should equally receive the highest possible attention since schools are where the younger generation of Bosnia and Herzegovina have to translate into reality the ideal of multi-ethnic harmony and coexistence.

We note with satisfaction that important economic reforms are underway. Obviously, a prosperous economy provides opportunities for employment for the people and reduces the risk of inter-communal tensions. We are also pleased that refugees are now able to return home in larger numbers. This is indicative of an improvement in inter-ethnic understanding. We have no doubt that Mr. Petritsch will continue to do, as a high priority, everything possible to help create conditions so that all refugees and displaced persons can return to the homes that they abandoned due to the conflict.

We understand fully the challenges that Mr. Petritsch faces with ethnic tensions rising again across the border of Bosnia and Herzegovina. We wish to encourage him to confront any new nationalistic action

that spills over into Bosnia and Herzegovina with the determination that he has demonstrated in all his work so far. We assure him of the total support of our delegation.

The President: I shall now make a statement in my capacity as the representative of Ukraine.

First of all, let me join the previous speakers in thanking High Representative Petritsch for his comprehensive briefing and report covering the activities of his Office and the developments in Bosnia and Herzegovina over the past six months.

Ukraine welcomes the undeniable successes of the international community, represented in Bosnia and Herzegovina by Mr. Petritsch, in assisting the peoples of that country to implement the Dayton/Paris Peace Accords. We are encouraged by the positive tendencies, proving that the general situation in Bosnia and Herzegovina is becoming increasingly stable. In particular, we are satisfied with the increase in refugee returns, a continuation of the development of political pluralism and growing support among the population for more moderate political parties, which was clearly demonstrated during the general elections in November 2000. We also believe that the formation last month of the non-nationalist Council of Ministers is also a favourable factor for further progress.

We commend the efforts by the High Representative over the period under review in pursuit of implementation of the peace, specifically in the three key strategic areas of economic reform, refugee return and the consolidation of the common institutions, as identified by the Peace Implementation Council in May 2000. We welcome the Office of the High Representative's focus on the implementation of the decision by the Bosnia and Herzegovina Constitutional Court, known as the "constituent peoples' case", as well as the decision to restructure the constitutional commissions in the parliaments of the Federation and the Republika Srpska.

In our view, the advancement of economic reforms should continue to be a key element of the international community's strategy for Bosnia and Herzegovina. In this respect, we welcome all the steps made by the High Representative in pursuit of economic reforms in the financial, labour and pension sectors, in creating a favourable environment for the effective functioning of industry and trade and in promoting the privatization process.

While noting the remarkable progress on the returns of minorities over the past year compared with 1999, we believe that more should be done to ensure conditions of security for their return and equality of their citizen rights. In this respect, it is of particular importance to make the property laws effective, to promote further comprehensive judiciary reform and to establish human rights institutions. My delegation applauds measures taken by the High Representative in this regard.

I would also like to stress the importance of ensuring respect for the human rights not only of the three constituent peoples of Bosnia and Herzegovina, but also of its national minorities. For example, the Ukrainian national minority constitutes the fourth largest ethnic group in Bosnia and Herzegovina, following the Muslims, Serbs and Croats. Along with other peoples, the Ukrainians experienced considerable suffering during the war in Bosnia, victims of ethnic cleansing. At present, conditions for their national, political and cultural revival in Bosnia and Herzegovina are far from being satisfactory. In our view, this situation could be partly remedied if the necessary additional legislation that would ensure full respect for the rights of national minorities was passed. Therefore, we invite the High Representative to give proper thought to this idea.

This delegation is convinced that only the consistent and continued commitment of the parties to the implementation of the Peace Agreement in all its aspects will pave the way towards further progress and economic reconstruction in Bosnia. Therefore, we cannot support any attempts to revise the Dayton process. In our view, any amendments to that process would risk destabilizing the situation, both in Bosnia and in the region as a whole.

We are seriously worried at the recent aggravation of the relations between the High Representative and the Croat political parties of the Bosnia and Herzegovina Federation, united in the Croat National Congress. Of particular concern is the fact that the conflict is developing in the light of the results of last year's general elections. These developments could seriously destabilize the situation in the whole country, threatening to reverse the positive changes of last year's elections, in which moderate forces overtook nationalists for the first time since the signing of the Peace Agreement.

We reject any unilateral attempts to establish any parallel structures or governing bodies on the territories dominated by the Croats in Bosnia and Herzegovina which are inconsistent with the Dayton Agreements and the Constitution of Bosnia and Herzegovina. Thus we support the intervention of the High Representative in this situation. There is an obvious need to avoid any further escalation of tensions in the current situation. We call on the leaders of the Croat National Congress, the international community and the legitimate governing institutions in Bosnia and Herzegovina to engage in a constructive dialogue, with a view to reaching compromise decisions.

However, being supportive of the activities of the High Representative, we would caution him to weigh once again all of the pros and cons of the possible decision to impose economic sanctions on the areas populated by Croats. This step could have negative consequences for all the population of Bosnia and Herzegovina.

In our view, a constructive mediatory role in working out the differences between the Croatian political leaders of the Bosnia and Herzegovina Federation and the international community can be played by the Republic of Croatia, as a country which has clearly demonstrated its European aspirations and its devotion to democracy and peace and stability in the region and to the Dayton/Paris Peace Agreement.

We also encourage the Federal Republic of Yugoslavia, which has recently signed a special relationship agreement with the Republika Srpska, to do its utmost to ensure the sovereignty and territorial integrity of Bosnia and Herzegovina for the sake of promoting the consolidation of democracy, stability and national reconciliation in that country.

It is our belief that the final goal of the implementation of the Dayton Accords should be the creation of a multi-ethnic, multicultural, united state of Bosnia and Herzegovina that is based on the democratic and humanitarian ideals of modern Europe and oriented in its development towards integration into the European Union and friendship and cooperation with other democratic States of the region.

We hope that the presidential statement to be adopted shortly will serve to achieve this goal.

Finally, my delegation reconfirms its support for the activities of the High Representative and wishes him and his staff every success.

I now resume my functions as President of the Security Council.

The next speaker inscribed on my list is the representative of Bosnia and Herzegovina, to whom I give the floor.

Mr. Zivalj (Bosnia and Herzegovina): It is my honour and pleasure, Sir, to address the Security Council under your presidency. Since this is the first time I am making a statement before the Security Council in my new capacity as Permanent Representative of Bosnia and Herzegovina to the United Nations, allow me to express my gratitude to the Security Council for all of its efforts to strengthen peace and assist Bosnia and Herzegovina on its path to full and consistent implementation of the Dayton Peace Agreement. I should like also to convey my appreciation for the kind words of welcome expressed to me and for the support for my future work in this Organization, and to offer my unreserved cooperation and state my preparedness to work closely with the members of the Security Council.

Allow me also to express our appreciation to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement, for all his efforts and the work he has done in Bosnia and Herzegovina. I thank him for the comprehensive and up-to-date briefing we have just heard.

In my statement, I would like to focus on two issues which are crucial to the full and consistent implementation of the Dayton Peace Agreement and, in the long run, to the establishment of a stable, democratic, multi-ethnic and multireligious State of Bosnia and Herzegovina, as it once was.

The first issue is the return of refugees and internally displaced persons, which is stipulated by the provisions of annex 7 of the Peace Agreement, pursuant to which each and every internally displaced person or refugee has the right to return to his or her prewar home in safety and dignity. As pointed out in Mr. Petritsch's report,

> "progress has been made in the field of refugee return," *(S/2001/219, p. 3)*

and 67,000 so-called minority returns were registered in 2000 throughout Bosnia and Herzegovina.

One the one hand, this is encouraging, but, on the other, more than five years after the signing of the Peace Agreement, the number of people still waiting to return is incomparably larger. This might be the consequence of many factors, ranging from fear for personal safety to lack of job opportunities. But one thing is certain: the return of all displaced persons and refugees, in accordance with the Peace Agreement, should be accelerated, or time will become a major factor, and too many refugees and internally displaced persons will simply accept the fact that ethnic cleansing has been successfully completed. That is why we should do everything in our power to accelerate returns throughout Bosnia and Herzegovina, particularly to minority areas.

Secondly, the full deployment of the State Border Service, established pursuant to the New York Declaration, is of the utmost importance if we want to be successful in combating the problems of drug trafficking, trafficking in human beings, illegal migration, corruption, smuggling and customs evasion. With approximately 60 per cent of the State border controlled, and only for a month, it is almost impossible to effectively and successfully combat those crimes. In this context, I would like to underline the importance of the rapid and full establishment of the State Border Service on all border crossings with neighbouring countries. Given the transnational nature of most of those crimes, this would contribute to successfully combating them not only in Bosnia and Herzegovina but in the region as a whole.

Finally, I would like to express our deep appreciation to the High Representative, Mr. Petritsch, and, indeed, to all those who are providing aid to Bosnia and Herzegovina in support of peace and of the implementation of the Peace Agreement, subsequent declarations of the Peace Implementation Council, and the New York Declaration.

The President: The next speaker inscribed on my list is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I have the honour to speak on behalf of the European Union (EU). The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries of Cyprus, Malta and Turkey align themselves with this statement.

I, too, would like, first of all, to thank the High Representative, Mr. Wolfgang Petritsch, for his comprehensive and enlightening briefing on the situation in Bosnia and Herzegovina. The European Union expresses its continued support to the High Representative in his endeavours to ensure the implementation of the Dayton/Paris Accords.

For the first time, more than five years after the Dayton/Paris Agreements, Bosnia and Herzegovina has a Government without the participation of nationalistic parties. The Union expresses its hope that this Government will carry out much-needed reforms and work for the benefit of all the people of Bosnia and Herzegovina. The new Government will have the full support of the EU in fulfilling commitments undertaken in Dayton/Paris, notably as elaborated at the Ministerial Meeting of the Peace Implementation Council on 25 May 2000.

The European Union wishes to recall that the citizens and peoples of Bosnia and Herzegovina can move towards Europe only in the framework of the State of Bosnia and Herzegovina. In this context, the EU condemns recent unilateral moves by the so-called Croat National Congress of Bosnia and Herzegovina to place itself outside the provisions of the Dayton/Paris Accords. The EU calls on the Croats of Bosnia and Herzegovina to work within the legal institutions of their country at all levels to promote their interests.

The EU reiterates its support for the decision of the High Representative to remove the Member of the Presidency of Bosnia and Herzegovina, Mr. Ante Jelavic, and others from their publicly held offices and their positions within the Croatian Democratic Union (HDZ) following their repeated undermining of the Dayton Peace Agreement. At the same time, the EU welcomes the High Representative's express desire to maintain a dialogue with Bosnian Croats and to encourage their participation in improving economic, social and cultural conditions in Bosnia and Herzegovina. The EU underlines the crucial role of neighbouring countries in promoting a stable and multi-ethnic Bosnia and Herzegovina.

The EU notes the recent establishment of a special parallel relationship between the Federal Republic of Yugoslavia and Republika Srpska of

Bosnia and Herzegovina, and urges the High Representative to monitor any further amendments to it, in order to ensure that it remains consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.

The EU notes with satisfaction the progress which is being made across the region in bringing individuals to account for abuses of power and criminal offences which were committed under the cover of previous undemocratic regimes. The EU welcomes the decision by the former President of the Republika Srpska in Bosnia and Herzegovina, Mrs. Biljana Plavsic, to voluntarily present herself at The Hague in order to cooperate with the International Criminal Tribunal for the Former Yugoslavia (ICTY). The EU calls upon all other persons indicted by the ICTY to surrender themselves to the Tribunal and urges relevant authorities in Bosnia and Herzegovina, as well as elsewhere, to comply with their obligation to fully cooperate with the Tribunal and to arrest all indictees who remain at large.

The EU wishes to encourage the High Representative to review current international civil implementation structures in Bosnia and Herzegovina and to make proposals as to their streamlining with a view to ensuring the most effective coordination of all international actors. Being one of these actors, the EU is determined to sustain its long-term commitment to Bosnia and Herzegovina. The Union is the main troop contributor to Bosnia and Herzegovina and remains by far the largest donor of long-term economic assistance. The commitment of the EU is also expressed in the Stabilization and Association Process, this being the path for Bosnia and Herzegovina's rapprochement with the Union. The EU wishes to stress the urgent need to implement political, economic, democratic, human rights and rule of law reforms, as outlined in the EU Road Map, in order to allow a move to the next stage of the Stabilization and Association Process, namely, a feasibility study.

The EU expresses its support for all efforts aimed at enhanced regional cooperation, in conformity with the principles of sovereignty, territorial integrity and the inviolability of the borders of Bosnia and Herzegovina and the States in the region. In this context, the EU recalls the role of the Stability Pact and the instruments it has put in place in order to increase cross-border cooperation and achieve regional stability.

The President: The next speaker inscribed on my list is the representative of Croatia. I invite him to take a seat at the Council table and to make his statement.

Mr. Šimonović (Croatia): First of all, let me thank you, Mr. President, for organizing this discussion, and High Representative Petritsch for his comprehensive report. Let me also greet the new Permanent Representatives of Tunisia and especially of Bosnia and Herzegovina, who arrived in New York just at the most appropriate time.

Croatia remains vitally interested in developments in Bosnia and Herzegovina. The fact that Croats are one of the three constituent peoples in Bosnia and Herzegovina is far from being the only reason for our interest in that country. The stability of Bosnia and Herzegovina bears direct relevance for the stability and, moreover, the prosperity of Croatia itself. The shape and the length of our country's border with Bosnia and Herzegovina alone supports this argument. Moreover, Croatia's aspirations towards European integration are greatly influenced by developments in Bosnia and Herzegovina, and Croatian foreign policy has often been evaluated in terms of its policy towards Bosnia and Herzegovina. Both countries rely heavily on each other's traffic infrastructure and are important trade partners.

It is therefore self-evident why my Government firmly supports a stable, politically and economically self-sustainable Bosnia and Herzegovina. Croatia supports a Bosnia and Herzegovina that will be able to take its place in the European integration processes. However, we recognize that these goals still lie a long way ahead. Croatia is unsatisfied with the progress made so far, and is concerned with the present state of affairs. It is an appropriate time to assess where we stand now, where are we going and what we can do to speed up the attainment of a self-sustainable Bosnia and Herzegovina.

The major problems in Bosnia and Herzegovina remain refugee returns, economic revitalization and proper functioning and development of its institutions. So far, no substantial refugee returns have occurred, particularly in regard to minority returns in Republika Srpska. Just as an illustration, only 1 per cent of Croats have returned to their homes in Republika Srpska since 1995. As time goes by, fewer and fewer people, especially Croats, see their future in Bosnia and Herzegovina. They have already settled in

neighbouring or third countries, and they are losing hope. Despite the fact that the international community spent more then $5 billion trying to sort things out in Bosnia and Herzegovina, the economic development and substantial growth have not yet taken place.

The present constitutional arrangement in Bosnia and Herzegovina is the one that could have been agreed upon by all sides at the time when it was negotiated. Even though it has not been fully implemented, it served the primary purpose of the Peace Accords: to stop the bloodshed. Today, the major task that the international community and the people of Bosnia and Herzegovina face is to prevent the constitutional structure of the country from becoming its permanent source of instability. The constitutional structure of Bosnia and Herzegovina must continue to develop and evolve with the dynamics of the country's political, economic and social life.

For a long time, Croatia has been drawing the attention of the international community to the main contradiction within Bosnia and Herzegovina's constitutional structure: namely, the integrity of the country on the one hand, and its de facto partition, on the other. Dayton tried to reconcile the peoples of Bosnia and Herzegovina via pledges to create joint institutions which, in turn, were to secure their respective basic interests and preserve the values of a multi-ethnic society. The pledge to reverse ethnic cleansing and to restore the pre-war demographic composition fed people's hopes and raised expectations. At the same time, Dayton did not provide any guidance as to how to manage this inbuilt conceptual contradiction in the Peace Agreement. It thereby froze the lines of confrontation between the Republika Srpska and the Federation to a certain extent, legitimizing the borders drawn by force. In this regard, Dayton remains unfinished business.

Besides refugee returns, the crucial test of implementing both the letter and the spirit of Dayton as a living document lies in the full implementation of the decision of the Constitutional Court on the constitutionality of all three constituent peoples, as well as in bringing the Constitution of the Republika Srpska and the structure of its Parliament into line with the spirit of Dayton and the Constitutions of Bosnia and Herzegovina and the Federation. As long as some of the three constituent peoples are excluded from exercizing their rights in Republika Srpska, the integrity and self-sustainability of Bosnia and Herzegovina remains unrealistic.

The Republika Srpska has led its own life as an ethnically, almost pure, para-State of Serbian people, whilst the Federation has been struggling to maintain a proper balance between its lesser Croat and larger Bosniac population.

The Croatian Government regrets that some of the political grievances of the Croatian population in Bosnia and Herzegovina have been addressed in an inappropriate manner by some of its elected representatives. Primarily, I refer to unilateral decisions taken by some Croatian political actors at their recent gathering in Mostar. The Mostar Declaration leads the Croatian community in Bosnia and Herzegovina onto the road of isolation and, thereby, furthers marginalization. This course of action, can by no means, be of any benefit to them. At the same time, it is damaging both for the interests of Bosnia and Herzegovina and for Croatia. As a matter of principle, ultimatums are not the method that we approve of now, or in the future, when it comes to dealing with sensitive issues. This principle applies equally to all parties, including international actors involved in settling political problems in Bosnia and Herzegovina.

We understand the reaction of the High Representative to the Mostar Declaration. My Government views the High Representative's intervention as an act directed only against individuals, and not as an action directed against the Croatian community in Bosnia and Herzegovina as a whole. We see it as a reaction against radical methods being used, and not as a step against the legitimate interests of the Croatian community in Bosnia and Herzegovina as recognized by Dayton. We do hope that the Croatian people in Bosnia and Herzegovina will also see it in this way.

Leaving aside the radical and inappropriate reaction by some political forces, the existence of real problems and legitimate fears held by the Croatian community in Bosnia and Herzegovina cannot simply be ignored. A striking indicator that something is not right is the systematic departure of the Croatian population from Bosnia and Herzegovina, which has continued even after Dayton. Altogether, in the past ten years the proportion of the Croat population in Bosnia and Herzegovina dropped from 17 to 10 per cent.

The Croats form the smallest constituent nation in Bosnia and Herzegovina. They live in ethnically mixed territories of Bosnia and Herzegovina and they do not have their own entity. Consequently, they cannot rely on the same factors as the other two constituent nations in Bosnia and Herzegovina for protecting their identity and interests, such as size or having a separate entity. They can only rely on the functioning institutions of the Bosnian State, that is, the institutions that reflect fully the decision of the Constitutional Court of Bosnia and Herzegovina regarding the equality and constitutionality of all three constituent nations throughout the entire territory of Bosnia and Herzegovina. Croats in Bosnia and Herzegovina can lend their trust only to a political system that guarantees them the preservation of their national, cultural and religious identity, and allows them to be genuinely represented in all joint institutions. These are also the very goals of the living Dayton Peace Accords. Have they been achieved? Have the measures undertaken by the international community facilitated their achievement?

On the eve of the elections in October last year, my Government expressed its concern about some of the regulations of the Provisional Election Commission. Croatia approached the officials of the Organization for Security and Development in Europe (OSCE) and advised them that the adopted regulations were contrary to the Constitution of the Federation of Bosnia and Herzegovina and the spirit of Dayton. We expressed our concerns that the Croats in Bosnia and Herzegovina could perceive these regulations as a threat to their genuine representation in joint institutions. Croatia feared that, if those regulations were to be implemented, they could backfire and radicalize the Croatian community in Bosnia and Herzegovina. Unfortunately, we were right.

Croatia believes that the Dayton goals must be implemented. However, we do not conceive the project of implementation as a static notion, but rather as a dynamic one. It requires an appropriate evolution of joint institutions, which must ensure genuine representation and protection of all three constituent peoples throughout the territory of Bosnia and Herzegovina. All problems must be resolved within these joint institutions through a democratic process. This is the road to a democratic and self-sustainable Bosnia and Herzegovina. Croatia stands ready to facilitate this process.

Following the elections in the Republic of Croatia in January last year, Croatia's assistance to the Croatian people in Bosnia and Herzegovina changed in terms of method and substance. It became transparent and oriented towards economic, cultural and social programmes instead of military ones. At the same time, Croatia will continue to support the territorial integrity of Bosnia and Herzegovina and the efforts to develop democracy and preserve the equality of all the constituent peoples. In this respect, the admission of Bosnia and Herzegovina to the Council of Europe can be an important contribution, and should therefore be speeded up. We will do our utmost to provide help and assistance to Bosnia and Herzegovina because we need a stable neighbour — a partner we can count on in our joint quest for a European future.

The President: The next speaker inscribed on my list is the representative of Yugoslavia. I invite him to take a seat at the Council table and to make his statement.

Mr. Sahovic (Yugoslavia): As another newcomer here today, I should like to assure you, your Excellency, and other members of the Security Council that I am looking forward to our future cooperation.

I should like, first of all, to thank Mr. Wolfgang Petritsch, High Representative for Bosnia and Herzegovina, for his very informative statement, as well as for his report on the implementation of the Peace Agreement.

I wish to assure Mr. Petritsch of my Government's continued support for his work and its readiness to cooperate with him in the future.

May I also on this occasion emphasize the full commitment of the Federal Republic of Yugoslavia to a consistent implementation of, and full respect for, the letter and the spirit of the Dayton/Paris Agreement. We expect that all other participants in the implementation of the Agreement are also committed to that process. This, we believe, is in the best interest of the three constituent peoples in Bosnia and Herzegovina, as well as of stabilization and the development of cooperation in the region.

Since the last meeting of the Security Council on the implementation of the Dayton/Paris Agreement, the Federal Republic of Yugoslavia has taken a number of important steps which confirm, in word and in deed, the resolve of my country to normalize relations with

Bosnia and Herzegovina and to address problems of particular interest both for Yugoslavia and Bosnia and Herzegovina and for the region as a whole. To begin with, the Federal Republic of Yugoslavia and Bosnia and Herzegovina have established diplomatic relations and will soon exchange ambassadors. Our two countries are determined to develop all-round cooperation based on good-neighbourliness and mutual respect, as well as on respect for the principles of territorial integrity, sovereignty and political independence.

Several representatives have mentioned the agreement on special relations between the Federal Republic of Yugoslavia and the Republika Srpska, some of them expressing some concern over the issue. Let me say a few words on that subject. As members know, the Federal Republic of Yugoslavia and the Republika Srpska recently signed an agreement on the establishment of special relations, in accordance with the Dayton/Paris Agreement, which fully respects the sovereignty and territorial integrity of Bosnia and Herzegovina. The Agreement is not only based on the Dayton/Paris Agreement, but provides also for its further affirmation. It reflects the need of both the Federal Republic of Yugoslavia and the Republika Srpska to regulate mutual relations in the fields of the economy, culture and science, as well as in other fields. Certainly, transparency of cooperation is the essential element of the agreement.

The harmonization and finalization of a substantial number of inter-State agreements is under way between the Federal Republic of Yugoslavia and Bosnia and Herzegovina, primarily in the fields of economic cooperation, trade, investment, customs and transport, as well as with regard to providing legal assistance in criminal and civil matters. The aim is to make it possible for the citizens of the two countries, tied by family, friendship or business bonds, to solve outstanding problems, particularly in the sphere of social and related issues that affect people's everyday lives.

Also nearing completion are negotiations with Bosnia and Herzegovina on establishing an inter-State council at the level of State Presidents, aimed at coordinating and encouraging overall bilateral relations.

Finally, the Federal Republic of Yugoslavia is vitally interested in the return to their homes of all refugees and displaced persons from across the former Yugoslavia. It is our expectation that the registration of refugees and displaced persons now under way in Yugoslavia will provide a complete picture of the situation and important parameters for solving this key issue.

We are convinced that there is no alternative to the consistent implementation of the Dayton/Paris Agreement in all its segments. All efforts and solutions in the framework of the Agreement and serving the interests of the peoples of Bosnia and Herzegovina and peace and stability in the region will be supported by the Federal Republic of Yugoslavia, which is ready to take part in those efforts. Well aware that the primary responsibility lies with Bosnia and Herzegovina, its leaders and its peoples, the Federal Republic of Yugoslavia, however, as a next-door neighbour, is willing and ready, in the best possible way, to make a constructive contribution, alongside other international actors, to the well-being of Bosnia and Herzegovina.

The President: I now give the floor to Mr. Petritsch to respond to comments and questions raised.

Mr. Petritsch: I know that time is running short, but I believe that it is very important to try to answer the questions that were put to me, because the questions and issues raised indicate the great interest of the Security Council and its continued commitment to supporting the peace implementation process in Bosnia and Herzegovina. That is not a small matter; it is a lot. It means a lot to me as the High Representative there, as well as to the citizens of Bosnia and Herzegovina, who really count on the Council.

A whole array of pertinent issues have been raised. Let me start with the Russian Federation, whose representative raised three questions. First, there is the question of the defence doctrine. I can assure the Council that solid progress has been made on getting the Presidency to agree on a common defence policy. All the contentious issues were agreed upon at the recent 7 March meeting, with the exception of the status of the Croat component in the Federation army. I believe that final agreement will now have to await the selection of the new member of the Presidency, which will take place in due course. I am quite confident that very soon thereafter we will have a common defence policy paper agreed upon by all three ethnic communities — by all three constituent peoples.

The next question related to cantonization. The Russian representative quoted me as saying that I had found the proposal interesting. Yes, I find it interesting in academic terms, but there is no time and no space, as I have repeatedly stated publicly in interviews; now we need to follow, and fully implement, Dayton. There are means — to which I will come back later — by which to make progress within the Dayton Accords and based upon the Dayton Accords. Basically there is the Constitutional Court, which serves as such an instrument. The constitutional commissions which I established are of an interim nature; they need to come up with proposals, in both entities, on how to improve the two constitutions, and on how to put in place Constitutional Court decisions.

I very much appreciated the statement made by the representative of France. His Foreign Minister, Mr. Védrine, on 9 March, was the first to visit the newly established authorities in Bosnia and Herzegovina. That visit was very well received, and I would like to encourage other Governments to demonstrate support for the new Governments, both at the State level and at entity level. What was so important about the visit of Mr. Védrine was the fact that he referred to the urgency of economic reform. That is really centre-stage in my programme and in the Government programme. The European Union road map shows the way towards the "Europeanization" of Bosnia and Herzegovina — another of the key words that I would like to use in this context. I am convinced, together with the European Union, that the next year and a half will be a window of opportunity for starting genuine reform that will be truly embraced by the local Government and not just by the international community.

With reference to the Srebrenica issue, I very much appreciated the statement by the representative of Bangladesh. I can give the Council a progress report. In the interim, I have established a board, including the United Nations, to oversee the implementation of plans for the cemetery and the memorial. However, in parallel I have asked the international agencies on the ground to come up with a Srebrenica action plan, because I believe that it is very important to put to rest the victims of the Srebrenica tragedy. But at the same time, we should also prepare for the future and support reconstruction — in a physical sense as well as in a social sense for the people of Srebrenica. I am convinced that the Srebrenica action plan will in fact do its job, in terms of accelerated return and economic revival.

I very much appreciate the support of the Stabilization Force (SFOR) in particular, in providing the necessary security environment, as well as the United Nations mission, for providing the financial means needed to put the multi-ethnic police in Srebrenica in place.

With regard to the question on the conclusion of the United Nations mission, I must say that Jacques Klein has assured me that he will be able to keep to the timetable. So I am quite confident that the remaining tasks of the United Nations will be properly implemented. In addition to the changing role of United Nations engagement there, the role of the Organization for Security and Cooperation in Europe (OSCE) is changing — the most recent elections were the last ones where the OSCE was fully in charge. As indicated by the presidency of the European Union, I have been asked by the European Union to look into the streamlining of the international presence in Bosnia and Herzegovina, and, of course, I intend to do so in accordance with my mandate and in close consultation with the steering board. I will, of course, cooperate very closely with the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the OSCE in this.

My contacts with Belgrade are, in fact, very close. I very much appreciate what the representative of Yugoslavia said. We have close relations with Belgrade, and we are working together very closely, in particular in conjunction with the Special Parallel Relationship Agreement. My office was able to secure a leading role for the Office of the High Representative in the further implementation of, as well as in negotiations in regard to the annexes for, the Special Parallel Relationship Agreement.

The representative of the United States described the priorities which I set, and which I have been following since I took on this job one and a half years ago: refugee return, strengthening the State-level institutions and, above all, as the driving force behind them, economic reform. We now realize how important these priorities are; over time, they have even increased in relevance. I believe that we need to continue to follow this three-pronged approach.

Of course, in general I must say that I am taking what I would call a dual approach: on the one hand, I am reaching out to try to convince the local leadership

to implement what Dayton is asking them to do; and on the other hand, of course, — and if necessary — I will continue to act decisively in order to ensure that the Dayton Accords are being implemented.

When it comes to the issue of ownership, it was very helpful when the representative of China pointed out that there is a certain tendency towards dependency. Early on, I called this the "dependency syndrome", which we must be aware of: the local authorities depend too much on the international community. That was the reason why I put forward the concept of ownership, which is basically building awareness. This is a process; it will not happen overnight. Indeed, it is not happening overnight. But the new Government has, I believe, moved decisively closer to embracing my idea of ownership.

Again, as I have said, I will, wherever necessary, continue to act very decisively, because I know that time is running out. The patience of the international community is running out, and there are other problems throughout the globe that the Security Council needs to address.

With regard to refugee return, a non-governmental organization from the United States — Human Rights Watch — pointed out that last year refugee return in Bosnia and Herzegovina produced a "breakthrough". I am very much appreciative of this report, because it points out the progress that has been made without obfuscating the fact that there are still many, many issues that need to be addressed.

With regard to the Special Parallel Relationship Agreement, which I have already touched upon and which was also addressed by the United States representative, I can assure him that there is going to be continued international engagement and involvement. I have managed in my talks and negotiations with President Kostunica, first and foremost, to secure that, in the preamble to this Agreement, the State of Bosnia and Herzegovina is mentioned very prominently, so that, by signing on to the Special Parallel Relations Agreement, both the Federal Republic of Yugoslavia and the entity of the Republika Srpska are also signing up to the idea of the integrity and sovereignty of the State — to the idea that there is a State of Bosnia and Herzegovina, and not just two entities. I consider this extremely important, and we will, of course, continue to monitor the negotiations. I have also reserved the right to be the final authority in this context when it comes to the implementation of the Special Parallel Relationship Agreement.

Of course, we also attach priority to the early passing of the election law. Again, that is one of the recurring issues. Another issue of specific importance was raised by the representative of Tunisia — that of demining. I can assure him that I raised this issue just two days ago during my last steering board meeting at the political director level. I asked the steering board political directors to go back to their individual capitals and support what I put forward there: continued support for funding demining in Bosnia and Herzegovina — a very important prerequisite for stabilizing and normalizing the country.

The United Kingdom also raised a few issues. I have in part already answered some of them. One of the questions related to what more can be done to get the refugees back. That question was also raised by Jamaica. Of course, now, with the new governments, domestic efforts need to be reinforced. For a couple of months, we have had a refugee Ministry at the State level. We have a new Minister there now from a moderate Croat party, and I expect efforts to be redoubled at the domestic level. Naturally, we will only be successful eventually with refugee return if we manage the economic revitalization of the country. It is one thing to return; it is another thing to find a job in the area that has been returned to. It is also a question of education — a question that was raised here, and I very much appreciate that, too. It is a matter of security. Again, SFOR plays a crucial role in this context, and it will need to continue to do so.

The questions and problems relating to refugee return are different now. Up until 1999, the question was, "Is there going to be refugee return at all into minority areas, in particular into areas like the Republika Srpska?" Now the question is only, "How fast?". This needs our full support — our full political and economic support and, of course, financial support for those brave returnees who dare to return.

The Croat representative here in the Council also raised the question of the regional aspect of refugee returns. I believe this is a very important issue, and that the Stability Pact is working in this regard. I would very much like to encourage Croatia and Yugoslavia to cooperate fully with the Stability Pact. We in the Office of the High Representative are in very close contact

with the Office of the United Nations High Commissioner for Refugees (UNHCR), which is one of the leading, driving forces in the area of refugee returns.

However, there is one problem with regard to Croat refugees. The representative of Croatia rightly addressed the issue of the poor results in returns of Croats to the Republika Srpska. Unfortunately, I must say that a few of the many Croat villages and houses that the international community has restored are still uninhabited because the Croats who lived there simply do not want to go back home. This is for several reasons, all of them probably legitimate ones. Nevertheless, I believe that if the international community reaches out and makes an extra effort, then we can also expect the host countries to make an extra effort to motivate and encourage returns as well. I consider this particularly important in the case of Croats.

The next question, from the United Kingdom, had to do with whether there is an outreach effort, so to speak, with regard to the Croats. The answer is, very much so. This is because my strategy is a two-pronged one. On the one hand, we need decisive and tough action to be taken on my part because I simply cannot allow the President of a country to breach the Constitution to try to establish illegal institutions. That is something that simply cannot be tolerated. This is an exercise in the establishment of the rule of law, and there cannot be any compromise here. On the other hand, we are trying to reach out wherever possible because the Croat people — one of the three constituent peoples — are part and parcel of the idea of a State of Bosnia and Herzegovina. There is no State of Bosnia and Herzegovina without the Croats.

But that also has to be recognized by the Bosnian Croat leadership. I can assure the Council that the Croats who are now in the Government are all very much appreciative with regard to the idea of a multi-ethnic Bosnia and Herzegovina. We now have a Croat Prime Minister in Bosnia and Herzegovina. We have a Croat President in the Federation of Bosnia and Herzegovina, where most of the Croats live. We have many ministers, of course. We have a Minister for Refugees who is of Croat origin, as well as many more. So the Croats are equally represented in the new, reformed Governments. They are not members of the Croatian Democratic Union (HDZ).

This is what a democratic party needs to take into consideration: change is possible in a democracy. This is what the voters decide. That is the real cause of the turmoil in the HDZ; because, for the first time in 10 years, they are excluded from Governments. By the way, they are excluded in the same manner as are the two other parties in the Republika Srpska, including the Democratic Action Party (SDA). They are excluded from governing or holding the posts of Prime Minister or those of any other minister. That needs to be accepted by parties. This is also something of a novel situation confronting nationalist parties.

The HDZ has chosen the path of confrontation, which is naturally not acceptable in a democracy. Of course, there are other reasons why the HDZ feels so much pressure now. As the representative of Croatia has expressed, the new Croatian Government has completely stopped supporting the HDZ politically and financially. We need to continue to support the Croat people, but we need to make it clear to them that they are not represented solely by the HDZ. There are many other opportunities and possibilities to be represented, the most important being the Governments of the Federation and the State. They, in turn, also have the greatest responsibility in inviting the Croat community to take part in the political processes in Bosnia and Herzegovina.

Going back to the Special Parallel Relationship Agreement, I think it is also important to point out that I have succeeded in having some of the issues included in that Agreement taken out because they need to be regulated at the State level. I very much encouraged President Koštunica to establish State-to-State relations and to have the pertinent agreements made at the State level, and he promised to do so. For example, the dual citizenship issue was taken out of the Special Parallel Agreement by me. This issue will now be handled at the State level.

I also appreciate very much the United Kingdom's support for the International Criminal Tribunal for the Former Yugoslavia, as well as its continued focus on this issue. I consider this to be one of the most basic and important of issues. There is never going to be reconciliation in the area unless justice is done. That is something that we need to keep in mind constantly.

The next very important question, which was raised by the representatives of Ireland and Bosnia and

Herzegovina, has to do with the State Border Service. I appreciate very much that Ambassador Zivalj has placed so much emphasis on the State Border Service. As the Council knows, I had to impose this law at the beginning of last year after it was put forward in the New York Declaration by the Presidents but, unfortunately, not followed up by the tripartite Presidency. The United Nations Mission in Bosnia and Herzegovina (UNMIBH) is now implementing it in a very professional way. I appreciate very much the efforts being made in this regard.

However, we also need to keep in mind that the functioning of viable State institutions needs to be seen in the wider context of what a country can afford. I believe we need to see to it that the local budgets are eventually able to finance the State Border Service. We are therefore working very closely with the local authorities to come up with realistic budgetary figures so that the State Border Service will move forward as expected. At the same time, I do not think we currently need a Mercedes in Bosnia and Herzegovina; I think a Volkswagen is good enough in order to establish an efficient and very professional State Border Service in Bosnia and Herzegovina.

I think I have already answered the first question asked by Singapore. My interpretation is that the Croat rebellion is now really more of a dying gasp than anything else. Nevertheless, we need to be very vigilant when it comes to such issues. Unfortunately, in Bosnia and Herzegovina the idea of the rule of law and fully embracing the Constitution is not very widespread. We need to enforce and reinforce awareness of the rule of law as the basis of every State and community. This idea very much needs to be promoted. I have already spoken about the parties that are now out of power and the fact that Croatia no longer supports the activities of the HDZ.

With regard to whether the Dayton Agreement should be modified or rectified, I would like to indicate again that the Dayton Accords will remain the basis for peace implementation in Bosnia and Herzegovina. I know that the Dayton Accords are not perfect — this has been mentioned here. It is a living document. There are two institutions that can improve the situation. The first is the High Representative as the final authority in the implementation of the Dayton Accords; I am using my powers to the utmost in order to make progress, but that, of course, needs to be within the framework of the Dayton Accords. The second and more important one in the long run is the Constitutional Court, and it has already acted. In unison with the Constitutional Court, I have implemented, as an interim measure, the fact that all three constituent peoples are now constituent throughout Bosnia and Herzegovina.

To again touch upon the Croat side, Croats for the first time are now a constituent people, along with the Bosniacs and of course the Serbs, in Republika Srpska. Since I issued the decision on 11 January, Croats and Bosniacs have the veto right in Republika Srpska. They can oppose and veto any legislation that goes against their vital interest. This is the way forward for Bosnia and Herzegovina. This is the way that I see the improvement — or rather the evolution — of the Dayton Accords.

Regarding the elections in the Federal Republic of Yugoslavia and ripple effects, there were indeed generally very positive effects, because now, for the first time, we have in Belgrade an interlocutor — we have a partner again. But, on the other hand, in the short-run in a way it had some problematic aspects — this very quick move to establish the Agreement on Special Parallel Relations is one such indicator. However, in general I must say that I am quite optimistic that Belgrade, in the medium-term, will become as responsible a partner in the Dayton implementation as Croatia already is.

Let me move on to the next question. Colombia asked where the real support for the nationalists comes from. We need to keep in mind that — talking again about the Dayton Accords — the nationalist parties were left in place in Dayton. Even worse, they were able to legitimize their existence through elections under Dayton. We needed a long time — up until the last elections, almost five years — to get, through the democratic process of elections, the three nationalist parties into some sort of a minority situation. Again, it was already pointed out that it is a very thin majority that exists at the State level and at the Federation level in regard to moderate parties. Nevertheless, for the first time now, we have a realistic opportunity that moderate politics will succeed in Bosnia and Herzegovina.

Let me just refer to the President and to Ukraine in regard to the Ukrainian minority in Bosnia and Herzegovina, which is the fourth largest group in the country. Let me assure you that when implementing the constitutional commission and the Constitutional Court decision, I took the liberty to include as the fourth

group "the others." So, for the first time now, the minorities in Bosnia and Herzegovina, be it Ukrainians or Roma or others, have a say in both entities, are represented in the constitutional commissions and will have a say in the future permanent establishment of this body.

I can also assure you that economic sanctions against the Croats were never envisioned. We are moving against individuals, as I have indicated time and again, and not against the Croat people. I deeply believe that the majority of the Croats, who are decent people, want to cooperate. But of course, as long as the leadership is such, it is indeed quite difficult. I am, however, quite confident that this will change over time. This will change now also with the new Governments in place.

I very much appreciate the statement by Sweden on behalf of the European Union. I fully agree and very much appreciate the support of my work in Bosnia and Herzegovina. The European Union naturally is one of the most important partners there.

I have already made reference to the last two speakers and would commend the excellent analysis by the representative of Croatia. I believe that the Constitutional Court decision will in fact do the trick for the smallest community, the Croats. The legitimate fears that exist are indeed legitimate, inasmuch as we are looking into how to reach out and how to resolve the issues that are of real concern to the Croat people. I can assure you that I will find a way to accommodate the legitimate concerns of the Croat people. I have already established a dialogue with Croat representatives, including moderate HDZ representatives. Only three days after I had to dismiss President Jelavic and three of the Vice Presidents of the HDZ, the two remaining Vice Presidents asked for a meeting, and we actually had a quite constructive first meeting about the issues that concern the Croat community. Again, I am quite confident that we will be able to find a way out.

Lastly, the representative of Croatia raised the issue of accession to the Council of Europe. Let me assure you that I am quite confident that Bosnia and Herzegovina will manage to join the Council of Europe in the course of this year. We are working very closely in order to fulfil the last remaining preconditions set forth by the Council of Europe. Incidentally, right now there is a delegation from the Council of Europe travelling in Bosnia and Herzegovina in order to make a last assessment of the situation there.

As I am coming to a close, let me say how much I appreciate the interest that you have demonstrated in Bosnia and Herzegovina and in my work there. I very much appreciate all the support that was expressed and am looking forward to my next report here with, hopefully, even better results and better information from the ground in Bosnia and Herzegovina.

The President: I thank Mr. Petritsch for his detailed reply to the questions raised and for the clarifications that he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.4304

Security Council

Fifty-sixth year

Provisional

4304th meeting

Thursday, 22 March 2001, 1.30 p.m.

New York

President:	Mr. Zlenko	(Ukraine)
Members:	Bangladesh	Mr. Amin
	China	Mr. Chen Xu
	Colombia	Mr. Valdivieso
	France	Mr. Teixeira da Silva
	Ireland	Ms. McCullough
	Jamaica	Miss Marston
	Mali	Mr. Touré
	Mauritius	Mr. Neewoor
	Norway	Mr. Larsen
	Russian Federation	Mr. Kniazev
	Singapore	Mr. Mantaha
	Tunisia	Mr. Jerandi
	United Kingdom of Great Britain and Northern Ireland	Ms. Clunes
	United States of America	Mr. Delgado

Agenda

The situation in Bosnia and Herzegovina.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-30107 (E)

The meeting was called to order at 1.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the briefing by the High Representative for the implementation of the General Framework Agreement on Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, annex) on the situation in Bosnia and Herzegovina and commends his efforts in implementing this agreement.

"The Security Council encourages further regional political and economic cooperation, in compliance with the principles of the sovereignty and territorial integrity and the inviolability of the borders of Bosnia and Herzegovina and the other States of the region.

"The Security Council welcomes the new State-level and entity-level governments formed after the general elections of 11 November 2000 and calls on them to take active measures to make further progress on the return of refugees, consolidation of the State institutions, and economic reform. It welcomes the progress on creating a State Level Defence Identity in full compliance with the relevant provisions of the Peace Agreement and encourages the Presidency of Bosnia and Herzegovina to finalize the unresolved details without delay.

"The Security Council welcomes the establishment of Constitutional Commissions to protect the vital interest of the constituent peoples to facilitate the implementation of the 'Constituent Peoples decision' of the Constitutional Court of Bosnia and Herzegovina of 1 July 2000, and calls upon the entity parliaments to engage in the debate about the necessary amendments to their respective constitutions in the light of proposals examined by the Constitutional Commissions.

"The Security Council notes the recent conclusion of the Agreement on a Special Relationship between the Federal Republic of Yugoslavia and the Republika Srpska and urges the High Representative to monitor its implementation and any amendments to it, in order to ensure that it remains consistent with the territorial integrity and sovereignty of Bosnia and Herzegovina as a whole and with the Peace Agreement.

"The Security Council condemns recent unilateral moves by the so-called Croat National Congress to establish Croat self-rule in open contradiction of the provisions of the Peace Agreement, and calls on all parties to work within the legal institutions and constitutional framework of Bosnia and Herzegovina and the entities. It expresses its support for the High Representative in taking actions against persons holding public office who are found to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation.

"The Security Council welcomes the progress made on the return of refugees and property law implementation in the year 2000, but remains concerned at the slow pace of refugee return, particularly in urban areas. The Council insists on the responsibility of the local authorities to accelerate the rate of return and property law implementation.

"The Security Council urges all political parties in Bosnia and Herzegovina and their respective leaders to engage constructively within the legal institutions of that country in order to implement fully the Peace Agreement."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2001/11.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.40 p.m.

United Nations S/PV.4305

Security Council

Fifty-sixth year

Provisional

4305th meeting

Tuesday, 27 March 2001, 11 p.m.

New York

President:	Mr. Yel'chenko	(Ukraine)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Ouane
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Jerandi
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation in the Middle East, including the Palestinian Question

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01-30793 (E)

The meeting was called to order at 11 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian Question

The President: I should like to inform the Council that I have received a letter from the representative of Israel, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Lancry (Israel) took a seat at the Council table.

The President: I should like to inform the Council that I have received a letter dated 27 March 2001 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2001/282, and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held today, Tuesday, 27 March 2001, regarding the situation in the occupied Palestinian territory, including Jerusalem."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the current debate in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/270, which contains the text of a draft resolution submitted by Bangladesh, Colombia, Jamaica, Mali, Mauritius, Singapore and Tunisia. I should like to draw the attention of the members of the Council to photocopies of letters dated 26 and 27 March 2001 from Israel addressed to the Secretary-General, which will be issued as documents of the Security Council under the symbols S/2001/278 and S/2001/280, respectively.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

Before giving the floor to members of the Council wishing to make statements before the voting, I should like to state the following in my capacity as the representative of Ukraine.

From the very beginning of the outbreak of the current crisis in the Middle East, Ukraine has been among the delegations that stood for appropriate and effective actions by the United Nations Security Council with a view to putting an end to the increasing Israeli-Palestinian confrontation. Proceeding from that, my delegation has been consistently in favour of the idea of establishing a United Nations observer presence in the Palestinian territory to protect Palestinian civilians. While being supportive of that idea, we have always recognized that its practical implementation is impossible without the cooperation of Israel.

Our position on this matter was clearly manifested during the voting on a draft resolution that took place on 18 December 2000, and was reconfirmed at the recent emergency meeting held by the Council at the request of the Arab Group and Palestine. This position has not changed since then. However, my delegation is worried about the current stage of the Council's consideration of this issue, and about the likely outcome of the action. The different approaches of the members of the Council to this sensitive issue are well known but, in our view, they are not insurmountable.

We commend the enormous efforts exerted by all members of the Council — in particular by the members of the non-aligned caucus, the four Western European members and the United States delegation, as

well as the delegations of Palestine and the Arab troika — to find common ground for the agreed text of the draft resolution. As the delegation holding the presidency of the Council, we did our utmost to contribute to reaching that goal.

As the current President and as a member of the Council, my delegation bears its share of responsibility for this unfortunate situation. Without the necessary unanimity of the members of the Council, we do not believe that today's vote on the draft resolution before us will either achieve its original goal as regards the protection of Palestinian civilians or send any positive signal to the peoples in the region.

Therefore, while supporting the contents of the draft resolution and being well aware of the outcome of this voting exercise we are about to embark upon, my delegation will not take part in today's vote. We hope that there is still a chance to reach consensus on the draft resolution contained in document S/2001/281, which we hope will ultimately have the support of the members of the Council.

I shall now give the floor to the members of the Council who wish to make statements before the voting.

Mr. Chowdhury (Bangladesh): I thank you, Mr. President, for convening this meeting and for deciding to organize it in order to take action on the proposal submitted by the non-aligned caucus of the Security Council. It is my distinct honour to submit the draft resolution on this subject contained in document S/2001/270 on behalf of the members of the Non-Aligned Movement caucus — Colombia, Jamaica, Mali, Mauritius, Singapore and Tunisia — and on behalf of my own delegation, Bangladesh.

The subject being taken up for action today has been before us for quite some time. Members of the Council will recall that on 7 October 2000 we in the Council adopted resolution 1322 (2000), which called for the cessation of violence and condemned the excessive use of force against Palestinian civilians. From then on, this issue has been of primary importance to the Non-Aligned Movement and the Arab Group, and in the minds of the general membership of the United Nations.

In December, the non-aligned caucus made a proposal to send a United Nations observer force to the region so that the ongoing violence there, which still continues, could be contained. That force was meant to ensure the safety and security of Palestinian civilians. It was, however, not possible for the Council to adopt that proposal or a draft resolution to that effect. Subsequently, the Arab League and the Non-Aligned Movement made a request to hold an urgent meeting of the Security Council to consider establishing a United Nations force for the protection of Palestinian civilians, which was in line with what the Non-Aligned Movement caucus had proposed earlier, in December.

After the open debate held by the Council, in which not only the members of the Security Council but also a large number of the Members of the United Nations not members of the Council participated, and at which the issue of establishing a United Nations observer force for the protection of Palestinian civilians emerged as the single most important point made by delegations in their statements, the non-aligned caucus of the Security Council decided to revive its own draft resolution and submitted, on 20 March, a text containing appropriate adjustments for the establishment of a United Nations observer force for the protection of Palestinian civilians. That proposal was ultimately "put in blue" and was made available to the members of the Council on 23 March.

We in the Non-Aligned Movement caucus have been anxious to work on that text with the support of the other members of the Council. In that context, we received with an open mind a draft resolution submitted by the four European countries members of the Council. That text attempted to broaden the scope for support of the idea of a protection force for Palestinian civilians. As I said, with an open mind and in good faith, the Non-Aligned Movement caucus engaged in the negotiations on the European text, providing our own ideas and suggestions. Our objective was to prepare and articulate a draft that would have the broadest possible support of the Council. We believed that if an observer force were to be established, it had to have the broadest support of the Council. During that exercise we also had in mind the Arab Summit scheduled to take place in Amman on 27 and 28 March. We emphasized time and again that it was necessary for the Security Council to act on the proposal for an observer force before the commencement of the Summit.

This subject — the protection of Palestinian civilians — is one of the items on the agenda of the Arab summit; the Arab leaders were looking forward to

our action. The draft resolution had contained a mandate for the Secretary-General to undertake consultations with the parties on the issues appearing in the draft resolution, and we had thought that while he was in Amman to attend the Arab summit it would be appropriate for him to receive the Council's mandate to start his consultations with the parties concerned. That is why the timeframe of the Arab summit for action on the draft text was absolutely essential. Time and again the Non-Aligned Movement had made that point very clear to our colleagues with whom we were engaged in negotiations on a draft text.

Intensive negotiations had been taking place for the past five days. The non-aligned caucus and our European colleagues, subsequently joined by the United States, had engaged in long hours of consultations and negotiations on the text. And, to show our good faith, we set aside our own text, and worked on the European text, hoping that broad-based positive support for that agreed text would be possible. That was one of the main objectives of our work. We thought this exercise would articulate broad support in the Council for the role of the United Nations, and that of the Secretary-General, on the Middle East question and on the question of Palestine. We thought it would also send an appropriate message from the Council to the Arab summit so that the Arab leaders who are directly involved in the issues could be engaged in the matter. Also, of course, our objective was to take action on the draft resolution by Sunday so that the Arab summit, which started today, could benefit from the action of the Council.

The Non-Aligned Movement caucus was hopeful from the beginning that it would be possible to work out a text which would command the broad support of the Council. Such a text was drawn up this afternoon, and the Non-Aligned Movement caucus was ready for action. We thought the text which had emerged after all those hours of negotiations had the possibility of broad-based support. We worked until five o'clock this morning, and we have been working since then. When the text, which had seemed to have such a broad base of support, was ready, we were hopeful that action would be taken this evening, so that, even if the summit had started in Amman, the leaders would benefit from the text for the final day of the summit, tomorrow. Late in the evening, we were advised that it was not possible for us to agree on action on the text which we had worked out. In that situation, in order to be able to take a Council decision in time for the conclusion of the Arab summit, the Non-Aligned Movement caucus requested of the presidency of the Council that a vote be taken on the draft resolution originally proposed by the non-aligned caucus. That is the draft resolution which I referred to, and which is contained in document S/2001/270.

Members of the Non-Aligned Movement caucus fully cooperated with other members of the Council to reach agreement on the text, which was negotiated over long hours. We had approached those negotiations in good faith and in total transparency. We had shown flexibility time and again to accommodate the views of all sides, the basic intention being that this observer force proposal would have the broadest possible support in the Council.

So we come to the Council requesting action on our text, feeling frustrated that it was not possible for us to take action on the broad-based draft resolution which was negotiated and which emerged this evening.

We hope that the proposal contained in our text, for the establishment of a mechanism for the protection of Palestinian civilians, will receive the broadest support from the Council, and we hope that the Council will be able to act in such a manner that the safety, security and protection of the Palestinian civilians are ensured.

Mr. Wang Yingfan (China) (*spoke in Chinese*): To date, this new round of violent conflict between Palestine and Israel has lasted for more than half a year. It has caused casualties among civilians, especially among a large number of Palestinian civilians. It has complicated the Palestinian question. It poses a direct threat to the Middle East peace process. If this violent confrontation is not checked in time, it will surely exacerbate the hatred and animosity between Palestine and Israel and will cause and perpetuate more serious confrontation and conflict. That would be most inauspicious for the security of Palestine, Israel and the region as a whole.

As soon as possible, Palestine and Israel should put an end to violent conflict and resume peace talks, so that the Middle East peace process can return to its proper course.

As the principal organ responsible for the maintenance of international peace and security, the Security Council can and should continue to play an

important role in resolving the question of Palestine, in promoting the Middle East peace process and in safeguarding the peace and security of that region. That is in the interest of both Palestine and Israel, and it is also the wish of the vast majority of States Members of the United Nations.

We are of the view that sending a needed international presence to the region would help both sides to put an end to violence, to establish mutual trust and to ensure the safety of civilians on both sides. It would also help create favourable conditions for the two sides to resume peace talks.

The draft resolution submitted by the Non-Aligned Movement caucus reflects the concern of the international community with respect to the question of Palestine. Demands and proposals set out in the draft resolution are reasonable and constructive. We therefore support the draft resolution proposed by the Non-Aligned Movement. The Chinese delegation encourages the Secretary-General, Mr. Kofi Annan, to continue his contacts with Palestine and with Israel and to seek solutions that will be acceptable to both sides.

We appeal to the parties concerned to implement the relevant United Nations resolutions on the question of the Middle East — in particular resolution 242 (1967) and 338 (1973), adopted unanimously by the Security Council — as well as the principle of land for peace, which has been accepted by the international community, in order to move forward towards a comprehensive, just and lasting solution to the question of the Middle East.

The President: I now put to the vote the draft resolution contained in document S/2001/270.

A vote was taken by show of hands.

In favour:

Bangladesh, China, Colombia, Jamaica, Mali, Mauritius, Russian Federation, Singapore, Tunisia.

Against:

United States of America.

Abstaining:

France, Ireland, Norway, United Kingdom of Great Britain and Northern Ireland.

The President: The result of the voting is as follows: 9 votes in favour, 1 against and 4 abstentions. One Council member did not participate in the voting. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Security Council.

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Cunningham (United States of America): The United States cast this vote with great regret. It should not have been necessary, and this draft should not have been put to the vote. We wanted to support an action in the Council that advanced the cause of peace. For us, this is a matter of deeply held principle. But sadly, that is not what was offered.

We would ask, why was the decision to force a vote taken now, when it was clear to all that our deliberations had yet to produce a consensus, a consensus that we collectively, as members of the Council, repeatedly supported over the past week. The cause of peace would have been better served by additional deliberations, no matter how difficult or protracted.

The Secretary-General is in Amman to attend the Arab summit and to continue his mission of good offices in a troubled region. We support him, but this draft resolution sought to prescribe to the Secretary-General, and through him to the parties themselves, the way forward in the search for peace in the Middle East. The draft has, in doing so, demonstrated an unrealistic approach to this complex conflict by ignoring the most basic precept of peacemaking: the need to encourage the parties to find and implement their own lasting solutions and then to stand ready to help in their implementation. Sadly, the opportunity to play such a constructive and encouraging role was missed today.

The United States opposed this draft resolution because it is unbalanced and unworkable and hence unwise. It is more responsive to political theatre than political reality. In this draft resolution, some pretended that the Council could impose a solution, including a protection mechanism for civilians, in the absence of an agreement between the parties. Instead, the Security Council, acting on behalf of the international community, should have called on the parties to end all violence, to protect civilians and to resume negotiations, so that all civilians on both sides would be safe. The United States wanted, and would have supported, a draft resolution making such a call.

The Council could have, and should have, called on both parties to take the steps necessary to restore confidence, such as ending incitement and violence and resuming contacts at all levels to implement their reciprocal commitments, including the understandings reached at the summit at Sharm el-Sheikh. The United States wanted, and would have supported, a draft resolution making such a call.

Regrettably, the Palestinian Authority has never fulfilled its commitment, made at Sharm el-Sheikh, to speak out unequivocally, in Arabic, against violence.

Most important, the Council should have expressed its readiness to assist the parties in the implementation of any agreements they reach. The United States would have supported, and indeed promoted, such a call.

Last December, a similar draft resolution failed to receive the nine affirmative votes required for adoption, sending a message that the road to the just and lasting peace we all seek in the Middle East does not begin in this Council. That road begins in the region, and the parties themselves must make the difficult choices required. The Council can and should support them in that effort.

The seven Council members that abstained last December, including the United States, were able to defer a premature and impractical call to establish a United Nations observer force. By acting together, however, we were able to preserve the concept of an international presence for reconsideration at a future time.

We acted out of similar motives tonight. We support much of the substance we have been discussing in the past week, but, as we repeatedly made clear to other Council members, we cannot allow the Council to adopt a draft resolution that simultaneously risks damage both to the prospects for peace and to the Council's own credibility. Casting this vote gives us no pleasure at all. However, abstaining and allowing the Council to adopt such an ill-conceived and unworkable draft resolution would have been irresponsible.

Frankly, we are troubled that other members, which we know recognized the glaring weaknesses and clear danger of this draft resolution, did not join us in opposing it. The Council was engaged in very serious, at times intense deliberations, seeking a way forward that recognized the legitimate roles and responsibilities of both the Council and the parties. We worked hard for consensus and a common approach. That process was cut short by this vote, for reasons that have nothing whatever to do with the search for peace.

Now that this draft resolution is behind us, we should turn our attention to ways in which the Council can genuinely support and encourage the search for peace. We ask other members to join us and continue our discussions in that very difficult but necessary effort. This should begin today. The blessings of peace have been denied to the people of the Middle East for far too long.

Mr. Levitte (France) (*spoke in French*): For several very long days, the 15 members of the Security Council have worked in a particularly constructive spirit on the most difficult issue on its agenda: the conflict in the Middle East. They have done so by maintaining a positive and constant contact with the parties concerned.

All of the members of our Council share two convictions. Because today there is no mediation, because peace negotiations are at a standstill and because the cycle of violence is increasingly spiralling out of control, the United Nations must act. It is doing so through the actions of its Secretary-General, who is currently taking part in the Amman summit. However, Mr. Kofi Annan cannot act under optimal conditions unless he receives a very clear mandate from the Council.

Our second conviction is that the Security Council cannot, on an issue as difficult as this one, make its voice heard and assist the Secretary-General in influencing the course of events unless it is united. It is in this spirit that the four European members of the Council worked with all of their partners. The result is here tonight, in the shape of a draft resolution which we are submitting officially. This draft is substantial and balanced. If it were to be adopted, it would give Kofi Annan and the parties to the conflict a clear perspective of the path to be followed in order to put an end to the violence and to end all of the measures that are keeping the Palestinian people under unbearable constraints, with a view to the resumption of the peace negotiations.

Despite almost unanimous support, our draft resolution does not yet have all the backing necessary for effective action on the part of the Council. That is why we decided not to submit it to a vote, and to

continue to try to muster the support that we are lacking this evening. With respect to the text presented by our partners from the non-aligned countries, the four European members decided to abstain, despite the great merits of the draft. We abstained primarily because of the alternative approach that we chose together. This evening's vote does not in any way change France's policy in the Middle East — its commitment to all those who are suffering today and who want to build their nation and their State in peace.

In conclusion, I would like once again to pay tribute to all of our partners and to the representatives of the parties to the conflict, as well as to those of the Arab countries. Over the past few days, we have done a remarkable job together. Let us continue together, so that the United Nations can play its full role in the service of a just peace.

Sir Jeremy Greenstock (United Kingdom): Together with our European partners on the Council, the United Kingdom put forward a number of ideas and proposals over the past week in a serious attempt to find a consensus in the Council on this most difficult of issues. We did so because we believed that the Council, putting its collective spirit first, could have a positive influence on the peace process, on both the parties and, therefore, on the promotion of peace and security in the region, which desperately needs and deserves it. We are very grateful to our Council and other colleagues who worked with us so patiently and imaginatively in the same spirit. We had not abandoned hope that the textual proposals we sponsored could have produced the right result with further work. We therefore regret that the draft resolution that we have just considered should have been put to the vote now, especially in the knowledge that one permanent member could not concur. The deadline imposed on us, while understandable in the short term, carries less validity when considered in a broader perspective.

We believe that the failure of the Council's efforts in this way cannot contribute to the most important objective: the lessening of tension in the Middle East and assistance to the parties in ending the violence, securing a normal life for the civilian population — particularly in the occupied territories — and the resumption of negotiations. We disagreed with the act of seeking a vote this evening and, with our European partners, therefore abstained. We remain ready to work for the realization of the ideas expressed in the failed draft resolution, not least progress towards the setting up of a protection or observer mechanism, with the agreement of the parties to cooperate with it. We condemn the continuing violence and incitement, and the excessive use of force in reacting to unrest. We hope that the concept of observers will not now be lost, and we have work in hand to pursue it when the circumstances are right.

Our work on this subject will continue, and United Kingdom policy remains unchanged. We strongly support the part played already by the Secretary-General, and expect that he will remain engaged in an important role. The Council's experience of working together on this issue — although unsuccessful so far — should not be disregarded; we were very close to something effective and valuable.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): The Russian Federation has noted with some regret that the situation in the territory of Palestine is gradually deteriorating. The conflict is growing, and every day the cost in human lives increases. The negotiating process has been deadlocked; the parties are unable to resume their contacts, which are particularly necessary today in the area of security in order to overcome the violence and resume the peace process. The situation has further deteriorated as a result of the isolation of the West Bank and Gaza and the virtual economic blockade of that territory.

We note that very serious efforts have been made in the Security Council in recent days to elaborate an agreed response to the situation in the occupied territories. On many important aspects of the draft resolution under discussion, members of the Security Council were very close to agreement, and it appeared that the achievement of consensus was possible. Unfortunately, however, we cannot fail to draw the conclusion that it was impossible to arrive at a text that was acceptable to all. At the same time, we are convinced that at this critical period the Security Council is not entitled to remain on the sidelines and to divorce itself from the tragic events in the West Bank and Gaza. We believe that it is now necessary to focus on finding a way to resolve the situation through the combined efforts of all the parties concerned. For that reason, we voted in favour of the draft resolution that was presented by the Non-Aligned Movement caucus.

We believe that it is important to put an end to the violence — that is the why we voted in favour — as well as to normalize the situation around the

Palestinian territories and to remove the blockades, including the economic one. At the same time, it is important to ensure that the negotiation process is resumed in a context in which the legitimate interests of the parties can be satisfied. We believe that the draft resolution of the Non-Aligned Movement would not have imposed precepts on either the Palestinians or the Israelis, but would have instructed the Secretary-General to establish contacts with the parties for the purpose of producing a mutually acceptable formula for creating a mechanism to protect the civilian population.

On a broader scale, the Russian Federation will continue to make every possible effort to reach a speedy resolution of the Arab-Israeli conflict on the basis of the agreements between the parties directly involved in the conflict, and to facilitate the optimum format for international assistance for such negotiations.

Mr. Kolby (Norway): the situation in the Middle East is tense and gives us reason to fear a further deterioration. At this critical time it is important that the international community, and the Security Council in particular, behave with caution and in a constructive manner.

Norway therefore felt it to be of crucial importance for a unified Security Council to make a statement with a call for an end to violence, for a return to normal economic activity and daily life, for a resumption of peace talks with the aim of reaching a final agreement and to provide strong support for the role of the Secretary-General in the quest for peace. It was this need for the Council to speak with one voice that made Norway engage with our European colleagues in a serious effort that we hoped would receive the support of the full Council.

The situation in the Middle East is an issue of the utmost importance to Norway, and we were therefore particularly glad to see that the caucus of the Non-Aligned Movement and other members of the Council were willing to participate in a serious discussion with us. We appreciate the commitment made by everyone to strive for a result that could find the support of all members.

The result of these negotiations up to this point is not what we had hoped for. Our wish was to give the Secretary-General a strong mandate for his further efforts, both for his discussions at the Summit in Amman and for the difficult times in the coming weeks and months, and to give the Security Council an important and active role in this issue, which has been with us since the early days of this Organization.

We were not able to have such unity in the Council at this time. Norway regrets this, and I am convinced that all members of the Council share our feelings. Norway abstained tonight because we do not believe this resolution would be helpful to the efforts to get the peace process back on track at this time. The Security Council must not be a forum only for an exchange of views, but a constructive actor for peace and security.

We did not manage to reach our common goal on making a statement by a unified Council on this important issue at this time. However, we must not give up hope for reaching such a result at a later stage. I would appeal to all members of the Council to not let our lack of common approach today make us give up on this noble goal. I would urge all members to keep alive the spirit of cooperation demonstrated during our many hours of negotiations and to return to this issue when we all feel that our efforts can have a positive impact on the situation in the Middle East.

Mr. Cooney (Ireland): Ireland is deeply concerned at the apparently worsening conflict in the occupied Palestinian territories and the resultant loss of life, including the deaths of innocent children.

We have been working over the past week with other members of the Council, in particular our fellow Europeans, members of the Non-Aligned Movement and the United States, to prepare a draft resolution that could be adopted by the Council. This draft resolution would invite the Secretary-General to consult with the parties on taking early steps in a number of areas, including an ending of violence, the resumption of negotiations and the implementation of the understandings reached at Sharm el-Sheikh in October 2000, as well as a range of confidence-building measures.

We have also been seeking to provide Council endorsement for the setting up, with the accord of the responsible authorities, of a mechanism for the protection of Palestinian citizens, a matter of particular concern. We have made significant progress, and the draft resolution has been submitted in the name of France, Ireland, Norway, Ukraine and the United Kingdom. We intend to continue consultations on this

draft with the remaining members of the Council and other interested parties with a view to securing its early adoption, if possible by consensus.

My delegation abstained in the voting on the draft resolution before us tonight for two important reasons. First, we have consistently stated that for the United Nations to dispatch an observer force or an observer mission, the agreement of the parties is necessary. I know that this is not a view shared by all at this table, but it is necessary for the essential guarantee of safety and cooperation, without which no Member State could be expected to provide the required personnel.

But there is a further and ultimately more important consideration. The Middle East peace process at the current critical juncture needs the full support of the international community. The Security Council has an overriding responsibility to channel this support and in particular to give the Secretary-General a strong mandate to engage the parties on the way forward. The alternative draft resolution sponsored by four European members of the Council and Ukraine could provide a broader base of support for such progress. We hope that work can continue on this draft text. The sponsors would be very happy to accept amendments that would help secure its passage.

Ireland intends to continue to use its position as a member of the Security Council to work constructively with fellow members to contribute to real progress in the Middle East and to ending the long suffering of the people of that region.

The President: I call on the representative of Israel.

Mr. Lancry (Israel): I thank you, Mr. President, for giving me this opportunity to address the Council.

The draft resolution just voted on and not adopted reflects, unfortunately, a one-sided view of the nature of the last six months of violence. The reality, as the last 24 hours have gruesomely reminded us, is that the double-edged sword of this conflict cuts both ways. In Hebron yesterday a 10-month-old baby girl, Shalhevet Pass, was shot and killed by a Palestinian sniper armed with a telescopic rifle, which, I hasten to add, is a weapon generally available only to official Palestinian security personnel. Today the city of Jerusalem fell under the dark cloud of terrorism. Two separate terrorist bombings, one of them on a public city bus, killed at least one person and wounded nearly 40 others.

These tragic incidents perpetrated by those with no regard for the noble principles we seek to uphold in this Council must not go unmentioned. We do a great disservice to the mandate of this Organization, as well as to the memory of the innocent civilians whose lives were taken by the enemies of peace, by failing to loudly condemn such atrocities.

We are therefore disheartened that this draft resolution employs terms that reflect a purely Palestinian viewpoint. There is no mention of Israeli casualties — of the 70 Israelis who have been killed by terrorists since September. There is no clear call upon the Palestinian side to refrain from unilateral actions. There is no condemnation of Palestinian terrorism, or specifically of Chairman Yasser Arafat's departure from his signed commitments to renounce violence and terrorism as a tool to achieve political objectives.

To our dismay, it appears that there is nothing the Palestinians have done in six months of murder, abduction, bombing and mortar attacks, let alone in the last 24 hours, that is worthy of reproach. Is it possible that, after all the debate in the Council and after three separate terrorist attacks in a single day, Israel must continue to shoulder all the blame and all the responsibility?

As we have stated before, Israel remains opposed to the establishment of a United Nations force in the region. Chairman Arafat has the ability to protect the lives of his people himself. I wish to emphasize yet again that the moment Chairman Arafat issues a public call to end the terrorist campaign, once he returns in earnest to the negotiating table, and when both in word and in deed he acts to reinvigorate the spirit of peace, Israel will take whatever steps possible in order to accelerate the return to normal relations between us and the Palestinians. Indeed, we have already taken steps to that end, as the situation allows. More comprehensive measures could be implemented once the Palestinians demonstrate a firm commitment to control the situation.

More importantly, the current Palestinian initiative represents a blatant attempt to obscure their strategic choice to engage in violence and terrorism. Thus, the Security Council must not endorse such a choice by coming to the aid of those who initiate hostile confrontations. Moreover, such a step, while the

intifada continues, has the potential to actually escalate the violence and further destabilize the region by solidifying the Palestinian refusal to put down their weapons and compromise for peace. If the international community wishes to see a return to dialogue and negotiation and the ultimate realization of the legitimate aspirations and needs of both parties through a peaceful process, it must insist that the Palestinians stop the violence that they have initiated and refrain from actions that may be construed as endorsing the violence. We therefore take positive note of the fact that the Council has not taken such an action.

We look forward to a time when we can return to the process of negotiations with the Palestinians as partners and not as adversaries, to a time when dialogue has once again replaced weapons as a means of addressing the outstanding issues in this conflict. For in this way, and only in this way, will we arrive at a just and lasting solution to the conflict that will spare future generations the pain and misery we have both experienced over the past six months.

The President: I call on the Permanent Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): The Security Council arrived at a negative result today because one of its permanent members used the right of the veto. This means that the Council was prevented from carrying out its duties to preserve international peace and security in accordance with the Charter of the United Nations. This is truly regrettable.

As far as we, the Palestinian people, are concerned, we believe that this failure also means a failure to contribute to ending the tragedy that has been taking place in the occupied Palestinian territories because of the bloody and oppressive campaign waged against our people by Israel — the occupying Power — and by the leaders in charge and the current and previous Israeli Prime Ministers — Messrs. Sharon and Barak — through all their declared and expressed statements and positions that run counter to international law and that call for escalation and confrontation. This also means a failure to provide the support necessary to revive what is left of the Middle East peace process, as well as the necessary assistance to the parties to overcome the difficulties they face by simply assuming the presence of good intentions among the parties. This regrettable result came about despite the constant work done recently to which we all contributed.

I would first like to express, on behalf of the Palestinian people, our heartfelt thanks to the Non-Aligned caucus in the Security Council, which sponsored today's draft resolution — Bangladesh, Colombia, Jamaica, Mali, Mauritius and Singapore. Those friendly States undertook this marvellous action in support of the just demands of the Palestinians and in support of the peace process in the Middle East on the basis of the principles of the Non-Aligned Movement and on the basis of positions of principle regarding the question of Palestine. Likewise, we would like to thank the members of the Council who voted in favour of the draft resolution and those that expressed their readiness to support us even if the current circumstances were more difficult. In that regard, I would like to mention China and the Russian Federation. We would also like to express our deep gratitude to our brothers in the Arab Group and the Group's Chairman this month — the United Arab Emirates — as well as to Chairman of the Arab Summit, the Arab Republic of Egypt.

Since November 2000 we have made efforts to establish a United Nations observer force to provide protection to the Palestinian people.

As members know, the result was the unfortunate outcome which the Council reached for reasons known to all. Subsequently, we resumed our efforts towards the same objective. Later, when it had become clear that it would be impossible to attain our objective now, owing to the negative United States position, European members of the Council took an initiative that would have responded to the situation on the ground and to the situation relating to the Middle East peace process, with a view to moving the peace process forward. There was a move to accept a limited step in the direction of the possibility of setting up a force to help protect Palestinian civilians in the occupied Palestinian territories; this came to be known as the two-stage approach.

To be frank, we were not very happy, because, as is only normal, we feel that protection for our Palestinian people should be expedited in order to put an end to the current bloodshed. But, in the hope that we could take a positive step that might open the way to better prospects for greater Security Council participation in the Middle East situation and that

might improve the situation on the ground and promote the peace process, we agreed to respond to that initiative; we cooperated sincerely with European countries and with the United States of America — and, naturally, with non-aligned and other members of the Security Council. More than once during that time, we thought we were close to agreement. Indeed, on Tuesday afternoon we achieved an agreement conditional only upon acceptance by our officials.

Despite all of that, it became clear to us late this evening that everything related to timing had evaporated. There seems to have been an attempt to delay action without setting any definite date or time. And as for content, it was suggested that what had been decided was in fact very far removed from what could actually be agreed upon at this time. For our part, in the light of our duty towards our people, it would have been impossible for us to pursue action that would result in something falling far short of what is acceptable in the light of the situation on the ground, in the light of past Security Council resolutions, and in the light of the provisions of international law and international humanitarian law. Moreover, it would be unreasonable for us to pursue action that seems to drag on indefinitely in the face of a situation that is daily deteriorating and given the need for an international response to the issue of timing.

To all of that we must add the convening of the Arab summit at Amman, an important political development that cannot be ignored. We wanted the Council's action to send the right message to that summit, one that would promote interdependence and harmony between Arab action and international legitimacy in addressing the deteriorating situation in the region.

We made every possible effort to reach such a positive conclusion, even at the expense of the substance of the draft resolution — even, more than once, at the expense of our own positions. Clearly, we are sorely disappointed at the position we are in today, including all the surprises and unexpected developments, some of which were rather unusual in terms of the Council's procedures and working methods. It was out of the question to take a step backward by sacrificing the legitimate needs and demands of our people, including their need for international protection, especially since no other concrete proposal was put forward in terms of either timing or substance.

From our perspective, this stage of our effort with the Security Council has come to an end. We shall certainly return at a later date to see what can be done, in cooperation with Council members who are willing, in the service of the principles of peace, justice and legitimacy. We are confident that this will ultimately be possible; under no circumstances will we cease to call upon the Security Council to shoulder its responsibilities under the Charter of the United Nations. At the same time, we shall continue to welcome the efforts of the Secretary-General, Mr. Kofi Annan; we call upon him to continue those efforts, especially as the Council has been prevented from doing its duty.

When we think of what has happened, we truly think it strange: After hearing just a while ago the unbalanced — at least from our point of view — statement by the representative of the United States of America, we have to admit that our astonishment is no longer. Indeed, we would have liked not to be surprised any longer, but for totally different reasons and in a totally different way.

The Palestinian party will work sincerely to resume traditional cooperation here at the United Nations and in capitals with the friends who chose to abstain in the voting on the draft resolution today. We are confident that this is possible, particularly in the light of the traditional Middle East policies of those States.

In conclusion, I would like to pay tribute once again and express our thanks to all of those who stood by our side. I am especially thankful to the non-aligned caucus — primarily its coordinator for this month and the Arab member, Tunisia — for their positions of principle in support of our people's struggle.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.15 a.m.

United Nations S/PV.4306

Security Council

Fifty-sixth year

Provisional

4306th meeting

Friday, 30 March 2001, 12.50 p.m.

New York

President:	Mr. Yel'chenko	(Ukraine)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Franco
	France	Mr. Doutriaux
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Issouf Oumar Maiga
	Mauritius	Mr. Neewor
	Norway	Mr. Kolby
	Russian Federation	Mr. Tarabrin
	Singapore	Ms. Lee
	Tunisia	Mr. Jerandi
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Minton

Agenda

The situation in Sierra Leone

Ninth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/228)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-31173 (E)

The meeting was called to order at 12.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

Ninth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2001/228)

The President: I should like to inform the Council that I have received a letter from the representative of Sierra Leone to the United Nations, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kamara (Sierra Leone) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the ninth report of the Secretary-General on the United Nations Mission in Sierra Leone, document S/2001/228.

Members of the Council also have before them document S/2001/293, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by a show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1346 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.

United Nations S/PV.4307

Security Council

Fifty-sixth year

Provisional

4307th meeting

Friday, 30 March 2001, 12.55 p.m.

New York

President:	Mr. Yel'chenko	(Ukraine)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Franco
	France	Mr. Doutriaux
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Issouf Oumar Maiga
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Tarabrin
	Singapore	Ms. Lee
	Tunisia	Mr. Jerandi
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Minton

Agenda

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Establishment of the list of candidates for Judges on the International Tribunal for Rwanda

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-31180 (E)

The meeting was called to order at 12.55 p.m.

Adoption of the agenda

The agenda was adopted.

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Establishment of the list of candidates for Judges on the International Tribunal for Rwanda

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/294, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by a show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1347 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Statement by the President

The President: Since this is the last public meeting of the month and my last appearance before the Council in my current capacity, I wish to extend to all of the members of the Security Council and to all delegations our sincerest thanks for their efforts in assisting the Ukrainian presidency of the Council at all stages of the implementation of the programme we proposed for this month and beyond, for their spirit of goodwill and cooperation and for their good and thoughtful advice, even before our presidency started. I will be leaving New York with the feeling of "mission accomplished".

On behalf of my delegation, I also wish to thank the Secretariat and all the departments that once again displayed their traditional, unfailing readiness to provide us with very useful and detailed information. We also extend our thanks to the entire team led by Mr. Stephanides for their advice, professionalism, discipline and willingness to work literally 24 hours a day, including on weekends. We are particularly grateful for their always active and unwavering assistance in preparations for the Ukrainian presidency. I also wish to convey our most cordial gratitude to the interpreters for their wonderful performance during these long hours and days of our presidency.

I wish every success to the delegation of the United Kingdom, which will be assuming this seat in the coming days. They, like us, will appreciate members' fullest cooperation.

Expression of thanks to the outgoing President

Sir Jeremy Greenstock (United Kingdom): I want to break with tradition, Mr. President, since you will not be present with us next week, and to express the Council's pleasure at having you preside over our formal meetings during the month of March, as our colleague and as a close friend of all of us around the table. It has given us delight to have you among us and leading us with such clarity, calmness and wisdom during the month of March. I wish to congratulate you on that, Mr. President, on behalf of all the other members of the Council, and to wish to you all good fortune upon your return to your capital.

The President: I thank the representative of the United Kingdom for his kind words addressed to me.

The meeting rose at 1 p.m.

United Nations S/PV.4308

Security Council

Fifty-sixth year

Provisional

4308th meeting

Thursday, 5 April 2001, 10.30 a.m.
New York

President:	Sir Jeremy Greenstock	(United Kingdom of Great Britain and Northern Ireland)
Members:	Bangladesh	Mr. Ahsan
	China	Mr. Chen Xu
	Colombia	Mr. Franco
	France	Mr. Levitte
	Ireland	Mr. Cooney
	Jamaica	Mr. Ward
	Mali	Mr. Ouane
	Mauritius	Mr. Gokool
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovksy
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United States of America	Mr. Cunningham

Agenda

The situation in East Timor.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-32066 (E)

The meeting was called to order at 10.35 a.m.

Expression of thanks to the retiring President

The President: As this is the first formal meeting of the Security Council under the United Kingdom presidency this month, it gives me pleasure to follow the tradition of paying a very warm compliment to our predecessors for their excellent leadership of the Council during the month of March. I say "our predecessors" because we had two Presidents for the price of one during the course of March. We were very impressed by the seamless interchange between Ambassador Kuchynski and Ambassador Yel'chenko and by the sensitive and good-humoured handling of our intensive business during the month of March. I would like to express, on behalf of the whole Council, our warm gratitude to Ukraine for its presidency.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

The President: Members of the Council are expecting me to handle this meeting in a relaxed manner. We are bringing into the open Chamber — to non-members of the Security Council, our partners in the United Nations — our style of informal consultations, because the Council wishes to increase the transparency of its business and to share more of it with non-members of the Council and the media when there is no reason of discretion or confidentiality for being in the other room. Members should therefore expect this meeting to be presided over in that relaxed manner.

At this meeting, in the absence of objection, we are extending an invitation under rule 39 of the Council's provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

Before I ask Mr. Annabi to speak, may I remind Council members that we are not keeping a list of speakers. I shall call speakers as they apply to the President or the Secretariat, in the normal way of our informal consultations. I would like to have an interactive discussion. If participants raise questions, I may turn to Mr. Annabi to answer those questions as they come up, and not necessarily leave them to be answered at the end. I am glad, too, that non-members of the Council, in participating in this meeting, have been encouraged to pose any questions that they may have about East Timor through members of the Council. They may do that during the course of the discussion. If they have points that they would like to raise, they can ask a friendly member of the Council to raise those questions.

I now give the floor to Mr. Hédi Annabi for his briefing of the Council.

Mr. Annabi: I am pleased to brief the Council on the latest developments in East Timor, having recently returned from a visit there. On my previous visit to East Timor, in November 1999, I was struck by the enormity of the destruction and the task that lay ahead, both for the East Timorese and for the international community. Since then, enormous progress has been achieved, but there is, of course, still much that needs to be done.

In the two months that have elapsed since the adoption of resolution 1338 (2001), which extended the mandate of United Nations Transitional Administration in East Timor (UNTAET), there have been a number of significant developments, including the adoption of a regulation on the establishment of a Constituent Assembly and the modalities for its election, the setting of a date for the election, the establishment of the East Timor Defence Force and an increase in refugee returns. There have also been a certain number of unfortunate internal disturbances in East Timor. I will now cover these various developments in greater detail.

First, a major milestone in East Timor's path towards independence was passed on 13 March when the National Council endorsed a regulation on the election of the Constituent Assembly. In promulgating that regulation on 16 March, the Transitional Administrator, Mr. Sergio Vieira de Mello, announced that the election for the 88-member constituent assembly would be held on 30 August 2001. Each district will elect one representative on a majority basis and 75 members will be elected on a proportional basis in a single nationwide constituency. The Assembly will be expected to draft and adopt the constitution of an

independent and democratic East Timor within a period of 90 days.

After a lively discussion, the National Council ultimately rejected — unfortunately, if I may say so — a proposal to impose mandatory quotas for women. However, a preamble was included in the regulation which encourages the equal participation of women in the electoral and constitutional process. The regulation also provides for the establishment of an independent electoral commission with exclusive electoral authority. The commission will be composed of a Chief Electoral Officer, who has already been designated. The Chief Electoral Officer will be Mr. Carlos Valenzuela, who is a respected expert and a veteran of United Nations elections. The commission will also include five voting commissioners, who will be appointed by the Secretary-General. Two of them will be East Timorese and three will be internationally recognized electoral experts.

Also on 16 March, Mr. Sergio Vieira de Mello promulgated a regulation on the establishment of the Central Civil Registry for East Timor. As a result, a nationwide drive to register East Timor's residents has now begun. I was able to observe personally the registration process in both Oecussi and Suai districts. The registration campaign will provide the basis for the preparation of the electoral roll. To be eligible to vote, refugees in the camps in West Timor who wish to cast their ballot in this election will have to register before 24 June, when the registration process will be completed, and they will have to be present in East Timor on polling day. I should emphasize that the schedule for the election is rather tight and that it can be kept only if the electoral registration process can be completed as foreseen by 24 June.

We will be able to speak of a date for independence only once the constituent assembly has begun its work. There is a broad range of views among the East Timorese regarding the possible structure of the future State. It is expected that those views will crystallize as the Timorese prepare for the actual drafting of the constitution to be adopted by the constituent assembly.

On 27 March, the National Council narrowly rejected a draft regulation that provided for the establishment of commissions to undertake a broad process of consultation on the future constitution. Following that decision, Mr. Xanana Gusmão, citing his disquiet with the proceedings of the National Council, decided to resign from the Council. Mr. José Ramos-Horta has been appointed by Mr. Vieira de Mello as a Council member in Mr. Gusmão's place and has consequently resigned from the Cabinet, where he was the Minister for Foreign Affairs. As members of the Security Council are aware, members of the National Council cannot be Cabinet members. The National Council is expected to elect a new Speaker next week.

In view of the National Council's decision, Mr. Vieira de Mello, with the support of the Cabinet, has decided to support initiatives by non-governmental organizations to engage the people of East Timor and to hear their views all across the territory as to how their nation's founding charter should be framed. District commissions will be established to complement the process and the work of the constituent assembly.

I would like now to turn to the East Timor Defence Force (ETDF). A ceremony was held in Aileu on 1 February to mark the disbanding of the former fighters of the Armed Forces for the National Liberation of East Timor (FALINTIL) and the establishment of the ETDF. As we had previously reported to the Council, the new Force will consist of a light infantry force of 1,500 regular soldiers and 1,500 reservists. Recruitment will take place over a period of three years and an Office of Defence Force Development has been established within the Transitional Administration to oversee and coordinate all activities related to the development of the Force, as well as bilateral and multilateral relations.

The former Commander of FALINTIL, General Taur Matan Ruak, has been appointed by Mr. Vieira de Mello as Commander-in-Chief of the Defence Force and 650 former FALINTIL members have been selected to form the first battalion. The training of the first 250 of these 650 officers began on 19 February, with the assistance of Portuguese instructors. Australia has agreed to construct a permanent training centre, which will be located at Metinaro, a city in Dili district on the coast to the east of Dili. Australia has also loaned rifles for the training of the Force. Work on this training centre has begun — in fact, it began this week. However, additional resources are required, particularly weapons and training equipment, to pursue this training.

Some 1,100 former FALINTIL fighters who were not selected to join the Defence Force are returning to civilian life with the assistance of a programme established in cooperation with the International Organization for Migration and which is financed by the World Bank and the United States Agency for International Development. The former combatants participate in retraining and education programmes that prepare them for civilian life. They also receive short-term cash payments to help their resettlement.

Turning now to the situation of refugees in West Timor, I would like to say that another positive development among recent developments has been the recent increase in the number of refugees returning to East Timor. To date, over 180,000 refugees have returned, but it is estimated that up 100,000 — according to some estimates — remain in West Timor. We continue to receive reports that East Timorese refugees are subject to intimidation and that they lack access to information on the real conditions inside East Timor. The International Organization for Migration, the Office of the United Nations High Commissioner for Refugees and UNTAET, with the cooperation of the Indonesian task force on refugees, have recently undertaken three rounds of organized repatriations. To encourage reconciliation among the East Timorese and further refugee returns, UNTAET also facilitated the visit of a group of five former pro-autonomy East Timorese leaders to East Timor from 28 to 30 March.

Early last month, on 6 March, the Secretary-General met with Indonesian Foreign Minister Shihab to discuss the situation of the refugees in West Timor. Minister Shihab proposed that a security assessment proceed to the area with a view to downgrading the current phase V security level, which would enable the return of United Nations agencies. The Secretary-General expressed the Security Coordinator's concern over the likely negative outcome of a security assessment in West Timor at this time, but undertook to keep the matter under review.

As regards the security and law and order situation, until recent weeks the border with West Timor had been relatively quiet. However, over the past several days this situation has changed, and multiple incidents have occurred. On 1 April, UNTAET troops observed two suspected militia members approaching a junction point with West Timor, west of Maliana in Bobonaro district. When one of them pointed his weapon in the direction of the border post and ignored a warning from UNTAET, UNTAET troops fired three shots at them. No injuries were reported.

On the same day, an UNTAET platoon at a junction point with West Timor, southwest of Tilomar in Covalima district, was fired at and returned fire. The Indonesian armed forces in the area attributed the firing to an accidental weapon discharge. These incidents are being investigated. UNTAET reports that cross-border smuggling activities, including by militia, are continuing, which makes it difficult sometimes to determine the underlying causes of these recent incidents.

There have been two more incidents over the past two or three days. On 2 and 3 April incidents occurred along the border again, including a shooting incident on 3 April that resulted in the death of a young woman. Today, Fijian soldiers who are part of the New Zealand contingent were fired upon at the southern end of the border between East and West Timor.

Inside East Timor itself the overall crime rate remains low, but nonetheless a number of serious incidents occurred last month. This is a cause for some concern in UNTAET. On 7 March members of the CPD-RDTL, the so-called Popular Council for the Defence of the Democratic Republic of East Timor, disrupted a student meeting in central Dili, at which Xanana Gusmão was present. On the same day a series of violent incidents occurred in Bacau district, which resulted in the burning of the local mosque and an attack on the East Timorese district administrator and other United Nations staff, as well as the burning of their vehicle. Among the crowd were members of the CPD-RDTL, as well as former members of FALINTIL. On 12 March, in another incident in Viqueque, a fight between youth groups and a subsequent riot resulted in two deaths, the burning of almost 40 houses and the displacement of some 600 people. On 17 March a group of youths attacked two villages in Dili district, and during sporadic unrest over the following two days a civilian police patrol was fired upon.

An investigation has determined that the incident in Viqueque sprang from a quarrel between students at a secondary school, each belonging to a martial arts group — these martial arts groups, by the way, are quite popular in East Timor. Until this incident in Viqueque, the district had been largely quiet. However, in the case of the Bacau incident it is evident that individuals with political affiliations sought to take

advantage of discontent, which is especially prevalent among the unemployed youth.

Community meetings have been held in the affected districts. Among the lessons learned from these incidents are the importance of the role of the local communities in maintaining order and the need to build confidence with these communities, while making it clear at the same time that violence will not be tolerated. Clearly, stable employment opportunities will also be key to reducing the risk of violence.

When he briefed the Council last January, Mr. Vieira de Mello suggested that the effectiveness of civilian police in general in complex operations could be enhanced. Accordingly, the civilian police in Bacau district have undertaken a trial deployment along the lines followed for peacekeeping troops, which means a deployment by national contingents. In this case the Filipino national contingent will operate alone in the Bacau district. As I said, this is a test that will be carefully assessed before we consider extending it to other districts.

During my visit to East Timor I was impressed by the progress made in the establishment of the Timor Lorosae Police Service. Some 450 East Timorese police who have graduated from the police college are currently deployed throughout the country with the UNTAET police. Their relations with the local communities have greatly facilitated more effective policing. From now on, 100 new officers per month will graduate from the academy, which is double the previous rate. The full strength of 3,000 Timorese civilian police is expected to be achieved by April 2003. The process of "Timorization" has also started in the leadership of the local police, where an experienced East Timorese police officer has been appointed as director of the police college.

At the same time, as we have learned in other theatres — especially in Kosovo — progress with policing can be effective and sustainable only if there is a commensurate development of the day-to-day functioning of the judiciary and penal system. Since January three trials related to serious crimes have resulted in convictions. The rate at which the Special Panel for Serious Crimes can bring cases to trial is severely hampered by a lack of personnel, but in particular by a lack of qualified translators. Similar delays have been caused by the lack of funding to meet the expenses of witnesses.

Before concluding I would like to say a few words about the planning process for the follow-up on the United Nations peacekeeping presence in East Timor. The success of East Timor as a nation will depend in part on its capacity to acquire at every level the practical skills needed to run a State and to provide essential public services. This work has begun, but we need to continue well after independence with the objective of transferring the necessary skills to the East Timorese and phasing out the international personnel now serving in the administration.

However, we must be realistic and acknowledge that this process will take time. To give just one example, until recently the Royal Australian Air Force was running Dili Airport, but then this task was handing over to a civilian company. In the absence of the requisite East Timorese capacity, the Government of Portugal has assumed this task and will meet the estimated cost of $4.2 million for running the airport and training East Timorese to take over some of the functions in due course.

Mr. Vieira de Mello has established a working group on post-UNTAET planning. The working group has begun its work in East Timor to develop recommendations on the specific estimated level of international staffing and technical assistance that will be required to support the Government of East Timor after independence. The group will also determine strategies for training and the duration for which those positions are considered necessary. The working group will consult closely with the East Timor leadership and other development partners, including the international financial institutions.

Here at Headquarters we are considering ways to support this work. In this connection, we are exploring the possibility of setting up a mission task force to draw up specific recommendations on the complete international presence in East Timor after independence. As we have said previously, there will be a need for troops, for a meaningful military component, for a civilian police component, and for a civilian component.

Overall, my visit has reinforced my impression that significant progress is being made on most, if not all, fronts to prepare the East Timorese for independence. Subject to the continuing assistance of the international community, the East Timorese should be able to realize their aspirations for a democratic and

sustainable State. Morale in UNTAET is generally good, and United Nations and East Timorese staff take pride in what they do in this historic challenge that they are engaged in.

Finally, I would like to appeal to members of the Council for their continued support to ensure that the population of East Timor can build upon the investment made by the international community to date.

The President: I thank the Assistant Secretary-General for his extremely useful report and for taking the trouble to visit East Timor and report back to us so soon. It is a very important subject on the Council's agenda.

We have started a speakers' list. I shall turn to members of the Council in a second. The Council should remember that, to some extent, this is an interim briefing. We are expecting a report of the Secretary-General towards the end of this month. There will be, I expect, a major debate on East Timor in early May. Subject to the decision of the Council at that time, I would expect that meeting to be open to the participation of non-members of the Council.

I will now give the floor to members of the Council who wish to speak. If Mr. Annabi wishes later to come back in and interact and respond to other people's interventions, there will be an opportunity for him to do that.

Mr. Kolby (Norway): My delegation would like to thank the Secretariat for its most useful briefing on the situation in East Timor.

For many years, Norway has attached great interest to East Timor, both at the political level and within Norwegian civil society. Norway is now in the process of planning our long-term engagement in East Timor. As part of that process, and as a manifestation of the close relationship between Norway and East Timor, Norway's Minister of International Development paid a visit to East Timor last month. During her visit, the Minister discussed with the United Nations Transitional Administration in East Timor (UNTAET) and the East Timorese leadership how Norway could best contribute during the period leading up to independence and how we could assist in dealing with the many challenges the new country will face following its independence.

In line with the contents of those talks, we have adopted a long-term development perspective in our East Timor policy. We will contribute to ensuring that the United Nations Development Programme and the World Bank, among others, are given sufficient resources to fulfil their mandatory tasks within the transitional period. Subsequently, we are committed to support the continued presence of the agents of those agencies following East Timorese independence. During the Minister's recent visit, she announced a pledge of $1 million to the World Bank Trust Fund for East Timor. That grant has already been disbursed.

To support a vulnerable peace agreement in a post-conflict area like East Timor, a comprehensive peace-building strategy is indeed required. In line with that, we would stress the need for an integrated approach with regard to political and development planning. The development agencies should work closely with UNTAET during the remaining part of its mandatory period. Subsequently, the agencies should be given a central role in the United Nations presence following independence.

For its part, Norway is encouraged by the active engagement among the East Timorese population to achieve independence by the end of 2001. It is therefore important that we, the Member nations support the work done by UNTAET so that it can fulfil its mandate by the end of this year. In that regard, Norway would like to underline the importance of Timorese participation in the Transitional Administration. We welcome the further progress in delegation of authority to the East Timorese leadership.

Moreover, Norway welcomes the achievements with regard to criminal proceedings in the wake of the serious crimes committed in 1999, and reiterates the crucial impact that such proceedings have on permanent peace and reconciliation in the area. In that regard, we would also welcome any further steps to strengthen the judicial system and the rule of law as a fundamental principle of governance in the future State of East Timor.

A question of particular interest in that regard is the election to be held on 30 August 2001. Norway recently discussed with UNTAET and the East Timorese leadership the issue of regulations pertaining to the election of a constituent assembly, focusing in particular on the participation of women in political parties and throughout all stages of the electoral and

constitutional process. It is our hope that the preambular paragraph in the regulation encouraging the equal participation of women and men will have the intended impact.

We would also like to underline the importance of the elections being free and fair. It is crucial that East Timorese citizens living in Indonesia — especially those in refugee camps in West Timor — are enabled to exercise their right to vote. We therefore remain deeply concerned about the slow progress in obtaining a durable solution to the issue of refugees. It is of crucial importance that all refugees wanting to participate in the forthcoming elections are enabled to repatriate under conditions of safety and dignity before the closing date for civil registration, set for 20 June 2001. In line with that, Norway continues to be seriously concerned about the security situation on the border with Indonesia and within the refugee camps in West Timor. We therefore again urge the Indonesian Government to take the necessary steps to fulfil Security Council resolution 1319 (2000).

The report of the Secretary-General on the implementation of UNTAET's mandate, and his recommendations pertaining to a continued international presence in East Timor, are due this spring. Norway looks forward to receiving that report and to participating in the subsequent debates, the outcome of which will be instrumental for the success of the peace-building operation in East Timor.

Let me conclude by paying tribute to UNTAET, and especially to Sergio Vieira de Mello for undertaking this most difficult task.

Mr. Cunningham (United States of America): I think there was a considerable amount of good and optimistic news in Mr. Annabi's briefing. I, too, am grateful to him for reporting to us so early after his trip to give us a first-hand impression. There are a couple of points I want to flag and a couple of questions I want to ask.

We strongly support the electoral timetable. We think it is essential that it be held to even though the schedule is very tight. I was glad to hear Mr. Annabi's comments on that. There are a lot of things that need to be done between now and the end of the year, but it is fundamental, in our view, that that process be worked through.

I was also glad to hear that the United Nations Transitional Administration in East Timor (UNTAET) is already taking care to ensure that the views of ordinary citizens can be fed into the process, looking towards the constituent assembly and beyond. We are encouraged by that, and we urge them to continue. This is also, in our view, an important element of this process.

We are very concerned about the security situation both within East Timor and along the border. The recent civil disturbances are of concern. Nothing challenges East Timor's chances for a peaceful future more than unrest from within. The emergence of intolerance as a factor in that, if it continues, will, I am sure, in the end cost East Timor international support and aid. We hope that the authorities and UNTAET can cooperate in bringing that under control.

We are also very concerned about the recent incidents of violence along the border. We welcome and support the robust support of UNTAET peacekeepers, and in that regard also believe that Indonesia should do more on its side of the border, in keeping with resolution 1319 (2000).

We are also not satisfied with the handling of the suspects in the murder of the three workers from the Office of the United Nations High Commissioner for Refugees (UNHCR). We encourage Indonesia to show greater commitment to accountability and other elements of resolution 1319 (2000).

I wanted to ask a question in that connection. We understand that a former militia member named Jacobus Bere, whose name has been linked to the killing of a New Zealand peacekeeper, is currently in Indonesian custody. I am wondering what steps the United Nations is taking in that case.

I also wanted to ask Mr. Annabi: we have been approached by a number of international non-governmental organizations expressing concerns that we consider legitimate about current UNTAET tax regulations, which are disadvantaging them. I would be interested in Mr. Annabi's comments on that problem and on how it might be solved.

Mr. Mejdoub (Tunisia) (*spoke in French*): I join my colleagues in thanking Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for his briefing on developments and progress in East Timor.

Today's meeting looks to the future of East Timor. The announcement of the date of East Timor's first democratic elections — 30 August 2001 — was a very important step in a process that has been under way for more than a year. More than ever before, that process needs full support from the leadership of all parties. On 13 March the East Timor National Council agreed to elections to the constituent assembly that will be responsible for formulating and adopting the national constitution. The National Council should take into consideration the aspirations of all segments of the East Timor population in order to reflect the political will of all citizens.

The violence that occurred in two districts at the beginning of this month shows that the security situation remains fragile. We believe that violence must stop so that East Timor can prepare calmly for a new and important phase in its history, while the stability of the entire region is maintained.

I have a question for Mr. Annabi about the situation in East Timor. What steps has the United Nations Transitional Administration in East Timor (UNTAET) taken during this sensitive stage in the domestic situation, when political parties and movements are becoming increasingly active? The incidents of violence that Mr. Annabi mentioned are cause for concern. Could the resignation of Xanana Gusmão complicate the domestic political situation? What steps have been taken in that regard?

Particular attention should be focused on ethnic and religious tension, which could fuel the destabilization not only of East Timor but also of areas outside the country. We consider that everything must be done to keep the question of East Timor in its proper context and to manage the situation in line with the plan established by UNTAET pursuant to its Security Council mandate.

The Indonesian authorities have repeatedly demonstrated their willingness to cooperate with UNTAET, and they have set up mechanisms for dialogue and for working together to resolve outstanding issues and to move towards the establishment of confidence-building measures.

We believe that the Security Council must take account of the Indonesian Government's appeal to send a team to evaluate the security situation in East Timor, with a view to changing the region's security status. Action along those lines could restore and consolidate trust between the two neighbours and could promote resumed reconciliation among East Timorese, something that is of crucial importance for the future of East Timor and of the region as a whole. The return of humanitarian agencies to West Timor will certainly help calm the refugee population, and will encourage their return to East Timor.

I wish finally to say that we encourage UNTAET's efforts and those of troop-contributing countries and of donors, who are playing an important role in helping to stabilize the country as it embarks on a new stage in its history. It is important to continue to provide the necessary support to East Timor to ensure that this endeavour meets with success.

Mr. Kuchinsky (Ukraine): First of all, Sir, I want to congratulate you on your assumption of the presidency of the Security Council for the month of April. Please be assured of the full support and cooperation of my delegation. I want also to thank you for the kind words addressed to my delegation expressing high appreciation of Ukraine's presidency last month.

I would like also to join previous speakers in thanking Mr. Annabi for his very informative briefing on the latest developments in East Timor. In fact, his information provides some hope.

We congratulate Mr. José Ramos-Horta on his appointment as President of East Timor's National Council, and we wish him every success. We hope also that Mr. Xanana Gusmão will continue to play an active part in the political life of the territory.

We are encouraged by the information on the security and order situation. We think that an important step towards the independence and self-rule of the territory is the establishment of a local police service and of an effective justice system, as well as of an East Timorese defence force. In that regard, we are pleased to note that just in the one year of the East Timor police service's activities, 450 police officers have been graduated. They have already been deployed throughout the territory. Two hundred cadets are currently undergoing training at the police college. We are encouraged by the information that a Defence Force has been established. We heard too that this month will see the beginning of construction of a new East Timor Defence Force training centre at Metinaro.

We are of the opinion that the successful conduct of democratic and transparent elections should be one of UNTAET's priorities. In this regard, we welcome the setting of a specific date for the first East Timorese free elections on the basis of a recently approved electoral law, which is among the most open and democratic in the world. With the establishment of an Independent Electoral Commission, the electoral process has really started, and Mr. Annabi has in fact informed us that the election campaign is in full swing. It is essentially important now to make all political parties become part of this process and to involve the population in it.

Another important issue is, of course, the smooth return and resettlement of refugees. This is yet another important condition for the successful creation of civil society and reconciliation in East Timor. We are pleased to know that as of today 180,000 refugees have returned. This is a very encouraging fact. In this regard, we believe that the development of good-neighbourly relations and cooperation with Indonesia is extremely important to the territory. In this respect, we are glad to note the efforts of the Special Representative, Mr. Sergio Vieira de Mello, to advance the reconciliation process, and in particular his meeting with pro-autonomy East Timorese leaders in Dili on 28 March of this year.

It is extremely important, in our view, to put an end to the presence and the activities of militias at refugee camps in West Timor and to resume there the activities of the international humanitarian agencies. We welcome, in this respect, the readiness of the Government of Indonesia to accept the United Nations mission of experts for assessment of the security situation in West Timor, in accordance with the relevant provisions of the Secretary-General's report of 16 January 2001. I also recall that this request was also put forward in the statement by Mr. Ramos Horta during our previous meeting on this agenda item. In this connection, we hope that the Secretariat is preparing to send the mission at the earliest possible time.

I would also like to take this opportunity to pay tribute to the Special Representative, Mr. Sergio Vieira de Mello, and the United Nations staff for their efforts. I want to assure them of Ukraine's readiness to continue its full support of UNTAET efforts in building an independent East Timor and in the implementation of its people's aspirations.

Finally, I have one question for Mr. Annabi. In view of the information on the latest disturbances within East Timor, what would Mr. Annabi's explanation be? In fact, what is behind the latest disturbances in East Timor? It seems that it is not only competition between fighters or sportsmen. It seems that there is a trend, and maybe an evaluation can be made by the Secretariat.

The President: I congratulate those speakers who have intervened so far on keeping their comments to five minutes.

I turn now to Mr. Annabi to take up the questions so far, after which I will turn to Ambassador Ward of Jamaica.

Mr. Annabi: I think the first question relates to Jacobus Bere, who is a former member of the Laksaur militia group and is suspected of having been responsible for the killing of Private Manning of the New Zealand contingent last July. Mr. Sergio Vieira de Mello has written to the Indonesian authorities requesting his extradition, or at least his transfer, to East Timor so that he can be prosecuted. He has done that under a memorandum of understanding that was signed between the United Nations Transitional Administration in East Timor (UNTAET) and the Indonesian authorities last April. We understand from statements made in Jakarta by Indonesian officials that they will not be prepared to respond positively to this request. They have pointed out that this person is in detention and is still undergoing trial in West Timor, and that for that reason they will not be able to respond positively, at least at this stage.

Turning now to the issue of the tax regulations that are considered to be a bit of a problem by some of the non-governmental organizations on the ground, I would like to point out that under the regulations that are in place in East Timor, promulgated by the Transitional Administrator, non-governmental organizations are not subject to income tax unless they make a profit. They are entitled to import goods free of taxes for educational purposes, health purposes and other humanitarian endeavours. This allows the vast majority of them to operate free of any taxes on their activities. Some of them employ local personnel, and when they do, they have an obligation to withhold tax on behalf of their employees. My understanding is that they generally do not object to the withholding of taxes from their local staff. It is the withholding of taxes

from the international staff of non-governmental organizations that seems to be the problem.

UNTAET and the East Timor Transitional Administration are very aware of this problem, and a working group has been established, which includes representatives of both non-governmental organizations and the East Timor Transitional Administration officials. This working group is going to try to prepare what are normally called country agreements; in other words, a draft of the kind of agreement that is normally signed between a non-governmental organization and the local government. This group has been meeting on a weekly basis and is expected to report to the Cabinet soon, where, hopefully, a draft agreement regulating these issues can be worked out and adopted. This is an issue that is under active consideration. I would like to add one point, however, that has been made to us by Mr. Vieira de Mello. While he will of course do what he can to ensure that this process is successful and reaches a positive conclusion, he will not want to go against the wishes of the East Timorese who now form a majority of the Cabinet. But hopefully a draft agreement will be worked out that will regulate the conditions under which non-governmental organizations can function, and their obligations and privileges in East Timor.

The last two questions related to the recent incidents and the reasons behind them, and to the possible implications of Xanana Gusmão's resignation from the National Council. As I indicated in my briefing, some of these incidents were created by groups of youths with no political motivation. I have to say that the Timorese are prone to getting excited rather quickly when there is an incident — it can quickly turn into a mob scene. Some of these incidents — probably all of them, in fact — have evolved in that way. But some do not have any political motivation. Others were probably provoked, aided or encouraged by people who had some political motivation — that was the case with one of them. In this pre-electoral period, when 14 different political parties have been formed, some may be — and probably are — trying to take advantage of the disillusionment that is prevalent among unemployed people to derive political gains from some of these situations.

Of course, both the police and military components of UNTAET have been trying to draw lessons from these incidents. To be quite frank, I think that if we had had better information on the situation in some of these communities, and better knowledge of these communities — which are not always very easy to penetrate when we do not speak the language or know the culture — we could perhaps have avoided some of the violence or been able to keep it under better control. But UNTAET and the East Timor Transitional Administration are looking at what additional measures can be taken, including increased patrolling and showing a stronger presence to try to prevent incidents rather than having to react to them. We are also sending experts from New York, both military and civilian, to discuss the best way of approaching possible situations of civil unrest in the run-up to the elections, and I am confident that the necessary measures will be taken.

As regards the resignation of Xanana Gusmão, I was discussing the matter this morning with Sergio Vieira de Mello. He feels strongly that this should not be dramatized. Apart from the immediate reason for his resignation, which was his disappointment at the fact that the National Council failed to adopt the regulation on the creation of constitutional commissions to try to discuss the future draft constitution, he feels that there are too many demands on his time right now and that he needs some distance. The possibility cannot be excluded that he is somewhat unhappy with the current differences of opinion that are being voiced by the different political parties and that he sees a trend which is not good. I think that this is probably also a way, on his part, to try to send a message that the Timorese should avoid such differences, or at least discuss them in a more constructive spirit, both inside the National Council and in the streets.

Incidentally, the National Council is a very dynamic and sometimes difficult body — I experienced that myself when I met with it. I received some compliments about UNTAET's work, but had to face a barrage of criticism by some of its most active members, who — again, probably for political reasons — are critical of UNTAET and consider that we have not done enough for the Timorese, especially in reactivating and reinvigorating the economy.

I think that a lot of progress has been made, as can be seen when we measure the difference between the situation in November 1999, when I was last there, and now, and that can be seen not only in Dili but in Suai. When I visited Suai in November 1999, there was not a roof on a single house in that city. Today, I think I

can say that probably about three quarters of the roofs are back in place. It can be seen in the market place that activities are picking up and things are better. But obviously, some of the Timorese would have liked us to be able to do more for them, as is understandable; and some of them will possibly exploit this for political purposes.

The President: I thank the Assistant Secretary-General for adding that useful detail.

On the tax problem for non-governmental organizations (NGOs), it is not the Council's business, but it would be of concern to the Security Council if NGOs were deterred from wanting to work in East Timor because the regulations there were less advantageous than in other parts of the world where they work. I hope that the United Nations Transitional Administration in East Timor (UNTAET) and the Special Representative will try to resolve that problem as amicably as possible. Please convey that to UNTAET.

Mr. Ward (Jamaica): My delegation welcomes your presidency, Sir, and your stated commitment and efforts to bring further transparency to the Security Council. You have Jamaica's full cooperation.

I thank Mr. Annabi for his briefing. As Jamaica's core positions on East Timor have already been stated in this Chamber on a number of occasions, I will take this opportunity to pose a few questions to Mr. Annabi.

We recognize the importance of maintaining a credible security presence in the West Timor refugee camp. We are also very concerned that the refugees continue to live under extremely dire humanitarian conditions; there are reports of refugees on the verge of starvation. We also understand that, while making significant efforts to deal with the situation, the Indonesian Government lacks the necessary resources to deal adequately with the refugee problem. In view of the recent incidents of security breaches reported by Mr. Annabi, can we expect the security assessment team to reclassify the security situation so as to allow for the return of the Office of the United Nations High Commissioner for Refugees (UNHCR), and if so, when?

Secondly, has any progress been made on the question of property rights in order to facilitate the return of refugees to East Timor?

Thirdly, we are of the view that the East Timorese political leadership must be fully consulted with regard to the role of the United Nations in the period immediately following the achievement of independence by East Timor. We would like to know whether the East Timorese have given any indication of the specific areas in which they would need assistance, in particular, areas of security and of capacity-building in their judicial system and law enforcement. In that context, is the Secretariat engaged in preparing an exit strategy for the United Nations Transitional Administration in East Timor (UNTAET), and if so, when might it be presented to the Council?

Finally, what efforts, if any, are being made to encourage the return of East Timorese of the diaspora to assist with the building of an independent East Timor?

Mr. Franco (Colombia) (*spoke in Spanish*): We are very grateful to Mr. Annabi for his briefing to us today. In this connection, we wish to refer to two topics and to formulate some very concrete questions at the end. I wish to refer first to the situation of refugees in West Timor and later to the electoral process.

With regard to the refugees, we have taken note of the new programme for refugee return, in which the United Nations Transitional Administration in East Timor (UNTAET), the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration are participating. The return of 600 refugees began in early March from the camps of Tuapukan, Noelbaki and Naibonat. The number of refugees who returned in March amounts to more than 2,600, which is excellent news.

We are concerned, however, by the situation of refugees in the other camps that United Nations agencies have not revisited since last September, where, according to the press, refugees are dying of hunger and disease. In this regard, I wish to echo a remark made by Ambassador Ward. We are aware of the security risks, but the Office of the United Nations Security Coordinator should undertake a speedy inspection to determine whether conditions are right for a change of security rating from phase V, thus enabling United Nations agencies to return promptly to the refugee camps.

As to the electoral process, we have taken note of the decision adopted by the National Council of East Timor and approved by UNTAET to convene elections

to choose members of the constituent assembly on 30 August, with the aim of promulgating the new constitution in December this year — a process we fully support, of course.

In the open debate held in late January, we noted our concern about the political violence referred to in the Secretary-General's report. We were saddened to hear from Mr. Annabi about the incidents that occurred in Viqueque in early March, as well as the deliberate fire set in a Baucau mosque. We take note of the establishment of a Truth, Reception and Reconciliation Commission and hope that it will achieve its goal. East Timor is a country in gestation, a new country for which the international community has great expectations. It would be very sad if the rebirth of the Timorese people were marred by political violence and religious intransigence.

I turn now to my questions. We have had a very productive exchange of views with the delegation of Brazil, a country friendly to Colombia. Following the process that you, Sir, have suggested, I have several specific questions to put to Mr. Annabi on its behalf.

First, is there currently any mechanism periodically to assess the security situation in the field? How does the Secretariat envisage the transition to independence from the perspective of the level of peacekeeping forces that will be required?

Secondly, concerning the maintenance of law and order, we have heard Mr. Annabi's descriptions of the efforts to prevent incidents such as those that occurred in Baucau and Viqueque last month. It is particularly important to find out who is behind these acts of violence and to identify the causes of tension in order to determine in all cases whether these are instances of political manipulation or rather of spontaneous outbreaks, such as those referred to, produced perhaps by frustration and impatience.

Thirdly, according to press reports that have been widely distributed, in the course of a heated debate the majority of the members of the National Council claimed that they had not been appropriately informed about the resignation of Xanana Gusmão and therefore voted to postpone the debate on his replacement to the following Monday. Mr. Annabi's reference to this topic allayed many of our doubts, but I would ask whether, on the basis of what he said, we should understand that the recent political developments in East Timor will have no impact on the implementation of the transition schedule.

Finally, it would be useful for Mr. Annabi to tell us more about the type of international assistance required to prepare the forthcoming elections of the constituent assembly. In addition to international observers, what other type of help is now required?

The President: I might just give a pointer to the Assistant Secretary-General. When he comes to answer some of these questions, he will need to consider them also, perhaps, against the Secretary-General's report expected at the end of the month. If he can answer quite briefly some of the points that have been raised, the Council, I think, will expect some of the points raised in this discussion to feed into the preparation of the Secretary-General's report. Some of the questions raised can be answered at greater length then. At the end of this meeting, I will be giving some summing-up pointers for the Council's interest in that forthcoming report.

Mr. Cooney (Ireland): Let me first welcome you, Sir, to the chair and wish the United Kingdom well for its presidency of the Security Council. I would also like to endorse your decision to bring this kind of briefing into open session.

I would like now to thank Mr. Annabi for his most informative briefing today, which was enlivened by his reflections on his own recent visit to East Timor. Given that we had the opportunity in January to put our position on the record — and, as has been mentioned, we will be having substantial debates on East Timor next month and probably in July — I will limit myself to a few matters of particular importance.

First, we welcome the recent progress towards the eventual preparation of a constitution and the holding of democratic elections. We have taken careful note of the information provided recently about the financial and personnel needs for the elections and are examining the specific requests closely in the context of our ongoing bilateral assistance programme for East Timor.

Secondly, we welcome the development of the judicial system in East Timor and the first measures taken against those accused of serious crimes committed in 1999, as well as the establishment of a Truth, Reception and Reconciliation Commission. The initial steps taken by the Government of Indonesia to

investigate violations of human rights and international humanitarian law are welcome and should be continued.

Thirdly, Ireland remains concerned about the refugee situation in West Timor. While the recent operations organized by the United Nations Transitional Administration in East Timor (UNTAET), the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration are positive, the approximately 100,000 refugees remaining in camps must be able to return to East Timor before 20 June 2001, in time to register for the elections there. We would echo the views expressed by Jamaica and Colombia in this regard. Action must also be taken to address the situation of East Timorese women who were abducted during the conflict, some of whom are allegedly still being held and subjected to abuse in West Timor. We would be grateful for further information regarding this issue.

Fourthly, the overall security situation continues to give cause for concern. The recent incidents in Dili and Viqueque, and attacks against UNTAET personnel along the borders — as detailed by Mr. Annabi — reinforce the need for strong security measures. As well as enabling refugees to return home safely, the security environment should enable the resumption of humanitarian efforts and ensure that elections can be prepared and carried out in a calm and safe manner. I was pleased to hear from Mr. Annabi that lessons are being drawn from the recent incidents with a view to further action.

Finally, like others, I would have raised the tax issue and I am grateful to Mr. Annabi for his response, but I would echo your own remarks, Sir, concerning that issue.

Mr. Gokool (Mauritius): My delegation thanks Mr. Annabi for the comprehensive briefing on the situation in East Timor. We are pleased to note the fruitful meeting between the Government of the Republic of Indonesia and the United Nations Transitional Administration in East Timor (UNTAET) and the East Timor Transitional Administration in Denpasar last January, where many important issues were discussed and agreement was reached on those issues.

We believe that for any democratic process to succeed, it must first of all adopt an inclusive approach to accommodate the entire population of the country without discrimination. We believe that the returnees should be treated as an integral element of the broader process of reconciliation in the independent East Timor. We hope that in the short time-frame now available to UNTAET this issue will be given the consideration that it deserves. We appreciate the role of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the other organizations in accelerating the return of refugees to their homeland. We are happy to learn that the International Organization for Migration is taking positive steps to repatriate those refugees who are registered to return. We look forward to a quick and voluntary return of refugees from West Timor before June, the date set for registration.

We deplore the tragic incident and rioting after the death, on 12 March, of a teenager in Makadiki. We believe that an effective process of community reconciliation is the sine qua non for the successful establishment of national protection.

My delegation appreciates the decision of the House of Representatives to set up two ad hoc courts to try gross human rights violations. We hope that the presidential decree that is needed for their actual establishment will not be retarded. We strongly support the application of the "relief to development continuum", a framework strategy that addresses the humanitarian needs and aims to achieve progressive changes towards establishing a sustainable and independent East Timor. We hope that international as well as bilateral donors will generously contribute to the implementation of the programme.

We hope that the formal request formulated by the Special Representative of the Secretary-General for the transfer to East Timor of Jacobus Bere — suspected of killing New Zealand peacekeeper Leonard William Manning on 24 July 2000 — made under the terms of the Memorandum of Understanding on Cooperation in Legal, Judicial and Human Rights Related Matters signed on 6 April 2000 between the Government of Indonesia and UNTAET, will be acceded to.

Finally, my delegation would like to ask only two questions of Mr. Annabi. The first is whether the recruitment and training of East Timorese electoral officers is being carried out so as to make the election fair and transparent. Secondly, what are the facilities put in place for refugees who are returning to East Timor?

Mr. Levitte (France) (*spoke in French*): I would like to thank you, Mr. President, for having made this meeting rather livelier than those in the past. There is still a great deal to be done, but you have definitely set the course.

I would like to thank Hédi Annabi for the information on the positive developments. It seems that things are going slowly but well for the setting up of the structures of a State that will be able to stand on its own feet. France will contribute its share, in particular in providing the training for the diplomats that the young State will need.

The next important stage is the election of the 88 members of the Constituent Assembly on 30 August. In that connection, I wish to associate myself with the questions that have been asked concerning the situation of the refugees who are still in West Timor. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that there are 80,000 to 100,000 of them. Out of a total East Timorese population estimated at 800,000, one can easily see that the inclusion or not of this number of people will make a difference in the election results.

I would like to ask Mr. Annabi, in this connection, whether the Secretariat feels it would be possible to accelerate the return of these refugees in such a manner as to enable them to participate in the electoral process. If, as seems probable, all the refugees cannot be resettled before the elections are held, perhaps, as the Indonesian Government has proposed, we might consider a return of United Nations personnel to West Timor, with sufficient security conditions. In that scenario, what conditions have yet to be met?

Finally, I have a question about the possibility of resorting to a procedure that Mr. Annabi is very familiar with and that we used in Cambodia. In Cambodia, if I remember correctly, we used an on-site registration procedure for refugees who had not yet been able to return so that they could participate in what was also a historic election at that time. So, these are my questions concerning the refugees presently in West Timor.

My second line of questioning relates to the future, the post-election period. Obviously, everyone will have to remain there until 30 August, but preparing for the future is a matter of planning. As Sir Jeremy Greenstock has told us, there will be a report on 30 April, and Security Council resolution 1338 (2001) asks the Secretariat to look beyond the date of 30 August as regards the size, structure and manner of deployment of the United Nations Transitional Administration in East Timor (UNTAET).

I would like to underscore how important it seems to us that the Secretariat should start now with preparation for the post-election period, so that after the Constituent Assembly is elected the international presence can be scaled down when that is possible, in a phased and gradual manner. On the one hand, it is clear that we already have the police sector, and a United Nations presence will be necessary for a relatively long period. The recent incidents bear witness to this fact. On the other hand — and I would like to hear what Mr. Annabi has to say in this connection — when it comes to the armed forces I think that we could start planning for a gradual withdrawal after the Constituent Assembly is elected and as the date of independence draws near. I think that it is very important that the beneficial presence of the United Nations not gradually become some sort of occupying force. I took note of what Mr. Annabi said a moment ago; it is easy to perceive the path from being helpful to being frustrating, a gradual slipping which could be a concern for the whole international presence.

As my final point, going beyond the United Nations force, beyond UNTAET, I would like to talk about the participation of the entire international community in the effort that will be required to help the Timorese. We had an interesting meeting here in this room with the participation of the International Monetary Fund (IMF) and the United Nations Development Programme (UNDP). I think that following the useful exercise in Dili on 29 March, it is in this spirit that we have to prepare for the Canberra meeting on 14 and 15 June, making sure that the World Bank, the Asian Development Bank, the IMF and the UNDP not only attend, but also fully carry out their share of the effort now and in the months and years to come. I would be happy to hear what Mr. Annabi has to say in this connection.

The President: Following Ambassador Wang, I will turn back to Mr. Annabi, whom I encourage to give quite brief answers to some of the points that have come up, because some of the more substantive questions will need to be dealt with with full consideration by the Secretariat in the Secretary-General's report.

Mr. Wang Donghua (China) (*spoke in Chinese*): I regret that I was not personally able to hear the briefing given by Mr. Annabi. As usual, his briefing was highly informative.

Since the Council last considered a report of the Secretary-General on the United Nations Transitional Administration Mission in East Timor (UNTAET), East Timor has achieved further progress in the attainment of independence in various aspects. In particular, we must point out that "Timorization" is being accelerated and that voter registration has begun. We appreciate the efforts made in this regard by all parties, including the people of East Timor and UNTAET.

The issue of refugees in West Timor continues to be an outstanding problem. Many delegations have stated this fact. We believe that with the gradual improvement in the security situation, international aid agencies should return to West Timor as soon as possible in order to help refugees in dire need and to accelerate their repatriation so that they may fully participate in the independence process in East Timor and be able to exercise the democratic rights to which they are entitled. China appreciates the efforts made by the Government of Indonesia to implement resolution 1319 (2000) and to facilitate the early return of international relief workers to West Timor. We hope that the United Nations and the Security Council will, in the light of current realities, seriously consider the request by the Government of Indonesia for the early deployment of a security assessment mission to the area.

To advance the independence process in East Timor and ensure that the country will gradually achieve self-reliance after independence, it is necessary that UNTAET further step up "Timorization" and ensure that more Timorese are involved in the power-transfer process, and that power is transferred to them in a proactive and steadfast manner. China hopes that in this regard the United Nations will respect and attentively heed the aspirations of the East Timorese people and that, on that basis, it will submit to the Council specific suggestions on the various aspects of the transfer of power.

Finally, I wish to brief the Council about some developments. As a friendly neighbour of East Timor, China has been helping East Timor to the best of its ability. A Chinese trade delegation recently visited East Timor and signed an agreement with UNTAET on economic and technical cooperation under which the Chinese Government is to provide new and non-gratis assistance to East Timor. In addition, China has delivered promised assistance to East Timor in the form of agricultural machinery, fishing gear, farm tools and agricultural chemicals. We will continue to help East Timor with training in agricultural techniques and in the training of civil servants.

The President: I turn again to the Assistant Secretary-General to respond to the questions asked so far.

Mr. Annabi: I will try to be brief, Mr. President, as you have encouraged me to defer some of the answers until the issuance of the reports of the Secretary-General. I want to point out in that regard that the Council has requested two reports. There will be a report at the end of April that will focus on a military and political assessment of the situation and on the implications of that assessment for the size, structure and deployment of the United Nations Transitional Administration Mission in East Timor (UNTAET). There will then be a second report, at the end of July, which will be more comprehensive and cover the whole issue of what the post-independence presence will look like. So I hope that Council members will be patient enough to wait until those reports are issued. If we have some of the answers before they are issued we will of course share them with the Council. But, as I indicated in my presentation, active work is taking place on the ground on all of these issues. We will feed the answers back to the Council as we identify them.

Very briefly, on the issue of property rights, the Cabinet has simply decided to defer consideration of claims on property rights until after independence. So that will not be taken up now.

On phase V and the reconsideration of the security status in West Timor, until at least recently it has been the view of the Security Coordinator that if he were to undertake an assessment he would probably come to the conclusion that phase V should be maintained, as there continue to be problems with the militia in the camps. In fact, an advance security team went to West Timor a month ago and was unable to visit the camps in the area of Betun, which, as the Council knows, is a militia stronghold. So it seems that until more is done to improve that situation, the feeling is that the assessment would not come to a positive

conclusion. But we will continue to discuss this with the Security Coordinator to see whether that can be reconsidered.

On the preparations for the elections and the issue of whether the refugees in the camps will be registered, the answer is, simply, no; they will not be registered. The regulation does not foresee that. In fact, the regulation deliberately foresees — and this was a decision taken by the National Council — that those who wish to vote have to return. It is actually hoped that this may induce some of the refugees to return if they wish to participate in the election and in the political life of the country.

On the whole issue of possible reductions in the level of military and police components after the elections, I think this will also be addressed in the upcoming report of the Secretary-General. But I must tell the Council quite frankly that, as it will have noted from my report today, while we have a very professional operation on the border with West Timor, there continue to be problems. I can assure the Council that we have a very professional operation on the border, led by the remarkable Brigadier Gillespie of Australia. They are doing a very professional job. I met with him in Suai. But there continue to be incidents, and it is likely that in the run-up to elections more incidents may occur, as it may be in the interest of some groups to try to destabilize the situation during that period. So there is a very, very strong feeling among our colleagues on the ground — and I do not think that we should second-guess them too much — that we should not tamper with the force levels, certainly not before the elections. Let us wait and see.

Hopefully, things will go very well and the level of security will be such that one will be able to think along those lines, namely, downsizing after the elections. We certainly would not want to maintain troops who are not needed. But I think we should defer that decision until we see what happens and until the elections are behind us.

A final point: I had the pleasure to meet briefly with the deputy minister of commerce of China while he was visiting there — we were there at the same time. Mr. Vieira de Mello was very pleased with the agreements that were signed. China, I understand, will also make an important contribution to assist in the construction of the future foreign ministry of East Timor; that is very much appreciated by the East Timorese.

Mr. Kassé (Mali) (*spoke in French*): We too thank Mr. Annabi for his comprehensive briefing on the matter before the Council today. We reaffirm our full support for the United Nations Transitional Administration in East Timor (UNTAET), which has done outstanding work in implementing its mandate. As Mr. Annabi has said, the way to independence is now open. We believe that, at this very delicate stage and more than ever before, UNTAET needs the full support of the international community and of donors.

We applaud recent decisions taken by the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello. In that connection, my delegation earnestly hopes that the elections scheduled for this summer will be well organized, free, transparent and, above all, inclusive. We echo the comments made today by the representative of Ireland about women and by the representative of Tunisia about cooperation with Indonesia on security matters.

At this stage, many of my questions have already been asked and Mr. Annabi has already answered most of them. But, without being pessimistic, I would note that the timeframe for the elections is very short, as Mr. Annabi has told us. Could the date of the elections be flexible, to make it possible for all refugees to return and to participate in the electoral process?

Mr. Mahbubani (Singapore): You have asked us to dispense with formalities, Sir, so we will not congratulate you on your assumption of the presidency. But we would like to say publicly what we have told you privately: that we strongly support your efforts to reform the working methods of the Council. The interactive meeting we are having today is, I think, a good development.

I want to apologize to my good friend Mr. Annabi for not having been present when he gave his briefing. But I have since then been briefed. And, speaking of the word "brief", I shall try to be brief, but I have a few substantive points to make.

When we look at East Timor, I guess that the traditional thing is to say that we can look at it as a glass half full or as a glass half empty. As optimists, we like to look at it as a glass half full. But this time around, as we look at the situation in East Timor, let us consider the possibility that we may be looking at a

glass that is half empty. In that regard, let us consider the possibility that 2001 is a very important and crucial year for East Timor, and that things may not go smoothly in the coming months. Several speakers have referred to the disturbing developments about which we have heard.

Of course, the most disturbing development is the resignation of Mr. Xanana Gusmão. I am a bit surprised that this is being taken relatively calmly. The political significance of this event is similar to that of a hypothetical event such as President Mandela resigning before the transition took place in South Africa. I know that Mr. Ramos-Horta has stepped in, and I know that Mr. Gusmão is continuing to play an active role in East Timor. But this is an indication of political troubles.

At the same time, there are reports of growing violence. I note from Mr. Annabi's remarks that there is a trend towards more and more frequent violence. We should also bear this in mind.

Given that context, I should like to make five points on this issue. The first point is that the exit strategy for East Timor may not necessarily be an easy one. We would like, of course, to hope that everything will go smoothly. But if it does not, we have to consider a possibly difficult exit strategy. Here I want to refer to remarks made by the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, at a recent conference in Singapore on the report (S/2000/809) of the Panel on United Nations Peace Operations chaired by Mr. Lakhdar Brahimi, which took place a few days ago, on 2 and 3 April. He said that the United Nations should apply the lessons learned from previous peacekeeping operations and ensure that the departure of a peace operation does not lead to a vacuum in the country in question or to a sense of abandonment. There is therefore a need for the United Nations and the international community to show flexibility and to continue to provide political support and resources both to the United Nations Transitional Administration in East Timor (UNTAET) and directly to East Timor itself. We know that these issues will be addressed in the July report, but we have to reflect carefully on them in the coming months.

The second point I want to emphasize is that there is clearly a need for a strong United Nations presence in the coming months. Here, I was pleased to hear what Mr. Annabi just said: let us not tamper with force levels at this stage; let us wait and see what actually happens. Here, one important point that needs to be put on the record is that there is a distinction between the holding of elections and the achievement of independence. These are two different events. Let us not tie the reduction of force levels to the election date; it should be tied to the question of independence and what comes after independence.

The third point is that we obviously need to help the East Timorese more in terms of their preparations for the nationhood that is to come. I can say candidly — in line with your request for us to speak openly at these meetings, Sir — that when I met Mr. José Ramos-Horta privately I noted that the lesson of the past 40 years has been that, while achieving independence has been relatively easy, ensuring the success of that independence has always been a challenge. He acknowledged that point in private, and he acknowledged that a lot of work needs to be done. Perhaps, as the United Nations prepares for the future of East Timor, it should look at the big picture and at the full range of institutions and institutional frameworks that are needed for a society such as that of East Timor to succeed. It is good to get assistance from the International Monetary Fund and the World Bank, but at the end of the day you have to put together a country almost from scratch. It is the big picture we need to look at. Here again, I was pleased at what Mr. José Ramos-Horta — until recently the foreign minister and now the President of the National Council — said, when he spoke about independence:

> "This could happen by the end of this year; or, if we see that some of the conditions that are essential for the foundation of independence are not there yet, we could very well postpone it until 2002."

I think we should listen to voices like that in making any decision on the timing of the transition and of independence. We have to look carefully at the overall state of East Timorese society and ask ourselves how ready they are to sail on their own.

The fourth point is that, in looking at the East Timor issue, we should not look at it in isolation. It has a regional context. It has an impact on the region — the region that Singapore belongs to, which is South-East Asia. We should take note of the fact that even though Indonesia is going through all sorts of difficulties, it is taking steps, within its limited resources, to demonstrate its commitment to resolving the refugee

problem in West Timor. We note that quite a few refugees have since gone back. Whatever happens in East Timor will have an impact on the region. One point I would like to emphasize is that, just as our colleagues in Europe worry about developments in the Balkans and have asked us to be sensitive to the regional dimension of many of those issues, we hope that our colleagues will take note of the fact that East Timor also has regional dimensions and that they too should be factored in. If you look overall at the quantity of resources that Asia takes from the United Nations system, it is, frankly speaking, relatively small. East Timor is probably the single major United Nations operation in the entire continent of Asia.

My fifth and final point — and an equally important point — is that Singapore will remain committed, within its means and where it can make a useful contribution, to supporting the United Nations and international efforts to help East Timor become a normal and productive member of the international community. A new development is that starting next month Singapore will be deploying, with the New Zealand composite battalion in the western sector, a reinforced battalion of up to 70 regular combat troops for a period of one year. The number 70 may be small for big countries, but for a small country like Singapore that is a significant number, and it indicates the level of commitment we have to helping East Timor achieve independence smoothly.

In conclusion, we look forward very much to the reports that are going to be issued by the Secretariat on the situation in East Timor, but as it does this, we hope it will bear in mind one of the most striking lines in the Brahimi report, which is an appeal to please not tell us, the Security Council, what you think we want to hear. Please tell us how you think the situation actually is one the ground. What is actually happening? How ready is East Timor for the various transitions taking place? How many resources will we need, and what will we need to do to ensure that, when history is finally written, the history books will say that the United Nations finally did a great job in its exit strategy from East Timor?

The President: I thank the representative of Singapore, particularly for the style of that intervention.

Mr. Ahsan (Bangladesh): Let me begin by thanking you, Mr. President, for injecting quite a bit of novelty into our formal meetings here, not least because you have allowed questions from non-members through members. That is quite something, which we appreciate very much.

We would also like to thank Mr. Annabi for his comprehensive briefing upon his return from East Timor. We have, like many others, noted considerable progress in a number of areas, including the civil registration process, the training office of the East Timorese Defence Force and recruitment in public service.

We also share a number of points made by previous speakers and some of their concerns, but, nevertheless, I would like to make some brief points. To begin with, public service; we all know that this year is very important, and it has been mentioned around the table that public service will be one of the factors that will determine to a great extent the kind of transition we can expect in East Timor towards independence. We are therefore happy to note that a large percentage of civil servants have already been recruited to the East Timor Transitional Administration. We appreciate the efforts of the United Nations Transitional Administration in East Timor (UNTAET) to encourage gender balance in this new public administration, reflected in the recruitment of about 2,000 women out of 8,000 officers recruited in this service. This is an encouraging sign. We would have liked to see the same balance in the Constituent Assembly, and it is a bit of a disappointment for us that the mandatory quota for women was not agreed.

The next point I want to mention is the refugee situation. This is still a very big concern for us, as the refugees continue in their plight in the camps in West Timor. We believe that we have to do something about it very quickly. We are encouraged by the meeting between the Secretary-General and the Indonesian Foreign Minister, and the security category re-rating is something which we would encourage the Office of the United Nations Security Coordinator to go forward with as soon as possible, because we believe that that is the only way to encourage and facilitate the large-scale and definitive return of the refugees from West Timor.

But, of course, we are very happy to learn that even in the absence of this, the United Nations Office of the High Commissioner for Refugees (UNHCR) and the International Organization for Migration, with the

cooperation of Indonesian authorities and UNTAET, have been arranging returns in small groups.

We also share the concern raised by a number of delegations about the taxes imposed on international non-governmental organizations (NGOs). We believe that in the situation that we find in East Timor, it is very important that the NGOs be allowed to work in the way they work everywhere in the world. That is why we would also request that the ongoing discussion be continued and a solution be found to this problem of taxes imposed on NGOs.

The next point is about the economic situation, in particular the employment situation. We would have liked to hear Mr. Annabi brief us on this. What is the current situation? What is the employment rate now? What new projects have been undertaken in the last few months to improve the rate of employment? We think the relationship between the employment situation and the civil disturbances is quite clear, and we have to address that problem as best we can.

To conclude, I would also like to ask the Secretariat to brief us in due course on the second round of Timorese talks, which is perhaps now taking place with Australia in Melbourne. Some of the points, as you mentioned, Mr. President, can also be covered in the forthcoming report of the Secretary-General.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): I associate myself with the words of gratitude addressed to Assistant Secretary-General Hédi Annabi for his briefing.

The Security Council's interest in the situation in East Timor is shown by the fact that 14 Council members have spoken at today's interim discussion, including the Russian delegation. A number of them have gone into detail about their approaches to and evaluations of a broad spectrum of the questions related to that territory. However, it is perfectly natural that the main topic of virtually all statements was the decision taken by the National Council regarding the date of the Constituent Assembly elections. We hope that the basis of this crucial step was not merely the symbolic force of the date, since 30 August will live for ever in the history of the East Timorese people as a landmark date, but also a realistic assessment of the situation in the territory.

As members know, after the referendum that took place in August 1999, life in East Timor had to begin from scratch. Since then an enormous amount of work has been done, and the Council has repeatedly noted that the territory is successfully moving towards independence. On the other hand, it is clear that the degree of preparation for holding the elections should be assessed in mid-summer, in order to avoid any unpleasant surprises. We hope that the East Timorese, in cooperation with the United Nations Transitional Administration in East Timor (UNTAET), will successfully carry out the tasks before them. That is my first point.

Secondly, we believe that, as part of the preparatory work for the elections, the successful conduct of national and civil registration will be very important for the ultimate success of the elections.

Thirdly, we think it is necessary — and other members of the Council have made this point — to pay attention to the recent incidents involving the use of force, including against international personnel. Mr. Annabi has gone into some detail about the reasons for these incidents and the measures that UNTAET intends to take to avoid their recurrence in the future. We think this is particularly important during this critical time we are going through.

Fourthly, we also note that recently there have been more returns of East Timorese refugees from the West Timor camps. However, we agree with previous speakers that the problem regarding the fate of 100,000 refugees in West Timor still requires close scrutiny. Of course, this problem must be resolved by UNTAET and the Government of Indonesia, working in close cooperation.

In conclusion, we are pleased with the successful process of this so-called Timorization, not only in the context of the training of nationals, but most importantly because East Timorese are being mainstreamed more and more into the territory's administration. We are convinced that this movement will be the most important contribution to preparing for the upcoming elections.

The President: I will now make a statement in my national capacity, before turning again to Mr. Annabi.

The United Kingdom's views are very much in consonance with what has been said around this table, and also with European Union policy, which is well

known and which will be further expressed when we have an open debate.

I think we have had an extremely useful briefing and a very interesting visit from the Assistant Secretary-General. I note his quite optimistic assessment that significant progress towards independence is being made on most, if not all, fronts. I think that this is one of the potential success stories of the United Nations, and we must keep it going that way.

The elections are extremely important. At this stage, we are happy about the date of 30 August. But it is very important that any refugees wishing to return from West Timor should be allowed to do so by 20 June so that they can register if necessary. That is an important milestone on the way to elections. In that context, we are grateful for the announcement by the Government of Indonesia that the registration of refugees in West Timor will take place on 1 May, but this should be preceded — and I hope that this will get back to the United Nations Transitional Administration in East Timor (UNTAET) — by a comprehensive information campaign in the camps so that they know what is going on.

We are also encouraged by the initiative of General da Costa to invite representatives from UNTAET, the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees to join him on a visit to the camps. But before any return to West Timor by the international community can be contemplated, it is essential that the Indonesian Government make further serious efforts to improve security.

We welcome the progress being made by both Indonesia and UNTAET in bringing to account those responsible for crimes in East Timor, and we welcome the decision taken by the Indonesian Parliament on 21 March to set in place arrangements for the establishment of an ad hoc court for such trials. We hope that that will be pursued as a matter of urgency and that the question of extradition from Indonesia of suspects in the crimes that we have been talking about is also pursued, and not dropped.

After independence, East Timor will require extensive international support, and a lot of us have referred to that in this discussion. Comprehensive planning for that from an early stage, with the full participation of United Nations agencies, and drawing on expertise both in the field and in New York, will be essential for a successful transition to the post-independence phase. We particularly look forward to the Secretary-General's report on that aspect, to be issued in the summer. But I would like to ask Mr. Annabi whether progress is being made towards establishing a proper, integrated mission task force for that coordinated effort along the lines of the Brahimi recommendations. We regard the Secretary-General as being in a position to do that if he so decides, and we would like him to move forward on that.

I am conscious that the one question that the Assistant Secretary-General perhaps missed was about information on women held in East Timor and West Timor. There is actually some concern that, because there are no agencies present on the ground, we are not getting information about women being held and abused in West Timor, and we would like UNTAET and others to follow that up.

It goes without saying that the United Kingdom will continue to support very strongly UNTAET's efforts, and we wish nationally to pay tribute to UNTAET for what is being done, and to Sergio Vieira de Mello for his leadership.

The news about Xanana Gusmão's resignation is of some concern — I agree with Ambassador Mahbubani about this. We understand and respect his decision to stand down. But in our view, it will be very important for him to continue his valuable contribution to national affairs in these early stages as we into East Timorese independence, and we hope that that contribution is not going to be lost to us.

I now resume my functions as President of the Council.

I come back to Mr. Annabi to take up any final points. If members of the Council wish to make any brief comments or add a question or two at the end, that will be possible. Then I shall sum up.

Mr. Annabi: First, I think there were one or two questions that I missed last time I took the floor. One related to the efforts made to try to encourage members of the diaspora to come back. Efforts are being made. Consideration is being given by the United Nations Transitional Administration in East Timor (UNTAET) and the East Timor Transitional Administration to perhaps encourage that return by providing subsidies to those who might be interested in returning, at least for

the short term. One of the problems, of course, is that the level of salaries that members of the diaspora get is way above what they would get in East Timor. As the Council knows, the current salary scale in East Timor has seven levels, with monthly salaries going from $85 at the first level to $361 at the seventh. That is what has been deemed, at least for the time being, as reasonable and sustainable in the current conditions of the economy of East Timor. So consideration is being given to the possibility of encouraging members of the diaspora to return and to contribute to the Transitional Administration by giving them subsidies — at least for the short term. But in the long run it will be a difficult problem, as we have seen in other situations, in Cambodia and elsewhere.

There was also a question — I think from our colleague from Colombia on behalf of Brazil — which related to the kind of assistance that may be required for the preparation of the elections. Of course, the participation of international personnel will be financed by the assessed budget. But there is a request for $3.5 million to finance a United Nations Development Programme project which is intended to help support voter education, capacity-building and the work of the national monitors. Incidentally, the organization of the whole electoral process is being approached very much from the capacity-building angle, so that, hopefully, in the process of the elections, an East Timorese capacity will be developed so that they can run future elections. They will be involved and trained as much as possible so that that capacity is developed.

Can the elections be postponed until all the refugees are back? I am afraid the answer is no. That is not the wish of the Timorese, and the electoral regulation adopted with their support foresees that the elections will be held on 30 August, unless there are such delays that it becomes technically impossible by that date to hold elections that are acceptable by international standards. But otherwise, they will take place, hopefully by 30 August.

With regard to the exit strategy after that, hopefully the Constituent Assembly will meet by 15 December and, hopefully, within 90 days it will agree on a constitution that brings us to 15 December, which means that previous talk about a possible independence date by the end of this year is somewhat overtaken by these practical considerations. I think our colleagues on the ground and their Timorese counterparts are looking more and more at a date for independence that would be in the first quarter of next year. After that, obviously, as Ambassador Greenstock has stressed — and we fully share that assessment — there will be a need for considerable assistance if we are not to jeopardize the considerable investment that has been made by the international community to create a sustainable Timorese administration.

I wish to make a clarification on a point made by Ambassador Mahbubani. Mr. Ramos-Horta is not the Chairman of the National Council. He has been appointed by Sergio Vieira de Mello as a member of the National Council to replace Xanana Gusmão. The election of the Chairman belongs to the National Council and that election is expected to take place either this week or next.

The economic situation and the level of unemployment obviously remain a concern. I think that the level of unemployment is still around 80 per cent. The economic situation is compounded to some extent by the fact that a lot of people have left the rural areas and districts to gather in Dili or in other cities, which exacerbates the difficulties. East Timor is traditionally very much a rural territory and the Asian Development Bank, with the support of Mari Alkatari, the Minister for Economic Affairs in the Cabinet, has a project to encourage return to the rural areas by farmers so that they can take up farming activities again.

The World Bank is also pursuing a number of projects. The level of actual disbursement by the World Bank has reached $30 million and a number of other projects, which I do not have at my fingertips right now, are coming on-stream. Efforts will continue to be made, but this is going to be a challenge in the medium and long term. Let us remember that everything was destroyed and we are starting from an extremely weak base. Efforts by the international community to provide economic and financial assistance to East Timor will need to continue well beyond independence, even if there are prospects after 2004 for revenues from the resources in the Timor Gap.

Since I am on the Timor Gap, I wish to confirm that negotiations are indeed taking place right now. Once we have a report on the outcome of those discussions, we will share it with the Security Council.

On the planning for post-independence, as I indicated, a working group has been established by Sergio Vieira de Mello on the ground that is looking in great detail, with the participation of other United

Nations agencies and the financial institutions, at the level of assistance that will be required to the administration after independence. Our colleagues in the military and police component are also looking at what will be required as part of this exercise on the ground. We here, as I said, are looking at the establishment of an integrated mission task force. We need to identify the right people for that and we will devise a system to enable our team here and the team that is working on the ground to interact. In fact, Sergio Vieira de Mello has requested us to try and send some planners or some of the members of that task force so that they can provide assistance to the work that is taking place on the ground.

The detailed planning can take place only on the ground, but what we see as an important role for the integrated task force here is the discussion of what we might call the "macro picture" — in other words, who will do what after independence and to what extent the other agencies of the system and the international financial institutions can pick up some of the activities, even if some of them are already telling us that, when it comes to providing the actual line managers who would continue to be required in the Timorese administration, they may have difficulties in that area, since they rely on voluntary contributions that, for some, are not forthcoming, at least at this point.

The President: I did refer to Ireland's question about the abuse of women. Can you say a word about that?

Mr. Annabi: I must confess that I do not have detailed information on that, but we will try to get it and get back to the Council at an appropriate opportunity. What I can say is that it is striking to hear from people in East Timor, especially from Timorese women, that domestic violence is at a fairly high level in East Timor. It is also one of the main concerns of our colleagues in the Department of Justice and of their Timorese counterparts. This is a serious problem which will need to be addressed and to which some efforts will need to be devoted.

The President: On that point, perhaps one of the Secretary-General's reports could cover what is being done to address that question, but I also want to make the point on behalf of the Council — and this is a public meeting — that, in West Timor, there are stories of continued abuse of women. It is very important that the Government of Indonesia, amongst others — and it has the responsibility here — should take these cases very seriously. They are happening on its watch in its territory.

I am very grateful to the Assistant Secretary-General for the frankness and comprehensiveness with which he has gone into detail on our questions and interests this morning. I think that has been very useful.

If no member wishes to make any final point, let me just sum up so that the Secretariat and non-members of the Council can be clear on what the Council is expecting on this issue over the next few weeks. I think that this morning's discussion has got into a lot of extremely useful detail about our concerns and I hope that the style of the meeting has added to that.

I want the Assistant Secretary-General to make it clear to the leadership of the United Nations Transitional Administration in East Timor (UNTAET) how impressed the Council is by their efforts and how much encouragement we give them to continue in quite difficult circumstances. We also want to focus, however, on what the Council can do over the coming weeks and months to support UNTAET and we therefore want the Secretary-General's reports to let the Council know what recommendations the Secretary-General may have for further action by the Council in encouraging the international community to support the move to independence by East Timor.

I think we have focused on a number of particular points that should be regarded as priorities for the reports and debates coming up. First of all, of course, there is the overall political context within East Timor and with its nearest neighbour, and in the regional context.

Secondly, there is the capacity-building that is necessary in East Timorese institutions in preparation for independence. That should include the potential for wider help from the international community, not just from the Council or the family of United Nations institutions.

Thirdly, there is the need for accelerated refugee return from West Timor and care of refugees, both in East and West Timor. Fourthly, there are the arrangements for the 30 August elections and the timetable of preparations for them. There is still a lot to do to make sure that they are held fairly with maximum participation of those who can and should qualify.

Fifthly, there is the issue of security. We regard it as essential, if possible, to snuff out the continuing threats to security and the economic and social situation in East Timor. Tunisia raised the question of a possible security assessment team visit, and we would like that to be considered. It would be relevant, I think, for the Secretary-General to make specific recommendations in respect of further security measures in the 30 April report.

Sixthly, there is the issue of the economy generally, but I welcome Bangladesh's raising of the point about employment. We have seen — or perhaps we have taken on board — the possible link between youth unemployment and violence from frustrated and bored gangs. Investment is clearly necessary — motivation for talented East Timorese to return from abroad if they can. This is an extremely important aspect for peace and security, as well as for economic development.

Finally, there is the exit strategy for UNTAET. The Assistant Secretary-General heard this morning of our strong interest in looking further ahead, regarding where this is going to come out, both for East Timor and for the United Nations presence there in the longer term. In that respect, we will be keenly interested to be kept abreast of the planning process. If it is sensitive, we will go into informal consultations on it, but planning ahead is of extreme interest to us.

I hope that those are useful pointers for the Secretariat for these reports that are coming up.

If there are no more speakers on this subject, I will close this agenda item. Of course, we will be following it up very closely.

Before adjourning the meeting, I have one or two notices from the Chair. This morning, since there was no breaking of the silence procedure over the United Nations Iraq-Kuwait Observer Mission, I have informed the Secretary-General that we approve his recommendation for the continuation of that mandate.

Regarding the Democratic Republic of the Congo, there was a discussion yesterday, and you encouraged me to speak to the Ugandan chargé in respect of incidents and violations of the ceasefire. I have not been able to get directly to Ambassador Morjane, but the Secretariat is quite clear that Ambassador Morjane and his team approve of the approach that we are taking. I will be proceeding with that recommendation from the Council.

As for forthcoming meetings, there is, unless there is an emergency, no meeting of the Council tomorrow. The next meeting is on 9 April, when we will be talking about our other extraordinary devolved administration, that in Kosovo. I intend, unless members of the Council want me to stop, to have this kind of discussion about Kosovo. I think that it would be productive on that issue as well.

Jean-Marie Guéhenno, the Under-Secretary-General for Peacekeeping Operations, will brief us on his recent visit. It will be open to participation by non-members of the Council. If delegations that have a direct interest in this matter wish to make short interventions, they should let me know in the normal way.

If there is any need for informal consultations over the next few days, before we have our next scheduled informal consultations — on Tuesday, on Sierra Leone and the region — I shall schedule them at short notice.

The meeting rose at 1 p.m.

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Security Council

Fifty-sixth year

Provisional

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Corrigendum

Page 18, first column, second paragraph, tenth line

For reinforced battalion *read* reinforced platoon

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